

to insert the words "the preparation or purchase of preliminary plans and specifications of vessels and;" so as to read:

For objects not hereinbefore named that may be deemed urgent, including the preparation or purchase of preliminary plans and specifications of vessels and the actual necessary expenses of officers of the field force temporarily ordered to the office at Washington for consultation with the Superintendent, to be paid as directed by the Superintendent, in accordance with the Treasury regulations, and for the expenses of the attendance of the American delegate at the meetings of the International Geodetic Association, not to exceed \$550, \$4,000.

The amendment was agreed to.

The reading of the bill was continued. The next amendment of the Committee on Appropriations was, under the subhead "Under the Smithsonian Institution," on page 41, line 5, to increase the appropriation for expenses of the system of international exchanges between the United States and foreign countries under the direction of that Institution, etc., from \$24,000 to \$26,000.

The amendment was agreed to.

The next amendment was, on page 41, line 23, under the subhead "National Museum," to increase the appropriation for cases, furniture, fixtures, and appliances required for the exhibition and safe-keeping of the collections of the National Museum, etc., from \$20,000 to \$25,000.

The amendment was agreed to.

The next amendment was, on page 42, line 7, to increase the appropriation for continuing the preservation, exhibition, and increase of the collections from the surveying and exploring expeditions of the Government, and from other sources, etc., in the National Museum, from \$180,000 to \$200,000.

The amendment was agreed to.

The next amendment was, on page 42, after line 21, to insert:

For the preparation, under the direction of the Secretary of the Smithsonian Institution, of preliminary plans for an additional fireproof building, to cost not exceeding \$2,500,000, for the United States National Museum, to be erected, when appropriated for, on the Mall between Ninth and Twelfth streets west, including the expense of collecting necessary data, said plans when completed to be transmitted by the Secretary of the Smithsonian Institution to Congress at its next regular session, \$5,000, to be immediately available.

The amendment was agreed to.

The next amendment was, on page 43, line 16, after the word "for," to strike out "eighty" and insert:

One hundred and ten thousand dollars, of which amount not more than \$20,000 shall be expended for the construction of a boundary fence, including entrance gates.

So as to make the clause read:

National Zoological Park: For continuing the construction of roads, walks, bridges, water supply, sewerage and drainage; and for grading, planting, and otherwise improving the grounds; erecting and repairing buildings and inclosures; care, subsistence, purchase, and transportation of animals, including salaries or compensation of all necessary employees; the purchase of necessary books and periodicals, the printing and publishing of operations, not exceeding 1,500 copies, and general incidental expenses not otherwise provided for, \$110,000, of which amount not more than \$20,000 shall be expended for the construction of a boundary fence, including entrance gates, one half of which sum shall be paid from the revenues of the District of Columbia and the other half from the Treasury of the United States.

Mr. ALLISON. In line 19, after the word "gates," I move to strike out the remainder of that line and all of lines 20 and 21, in the following words:

One half of which sum shall be paid from the revenues of the District of Columbia and the other half from the Treasury of the United States.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, on page 43, after line 21, to insert:

For the construction of an elephant house, with bathing pools and other accessories, including labor and materials and all necessary incidental expenses, \$10,000.

Mr. ALLISON. In line 24, at the bottom of page 43, I move to change the period to a semicolon and to insert:

One half of which sums for the National Zoological Park shall be paid from the revenues of the District of Columbia and the other half from the Treasury of the United States.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, under the subhead "Fish Commission," on page 48, line 18, after the word "dollars," to insert "foreman, \$900;" and in line 18, after the word "thousand," to insert "nine hundred;" so as to make the clause read:

San Marcos (Tex.) Station: Superintendent, \$1,500; foreman, \$900; fish-culturist, \$300; three laborers, at \$540 each; in all, \$4,920.

Mr. ALLISON. I move to amend the amendment, in line 16, by striking out "nine hundred" and inserting "one thousand," and to correct the total by adding to it \$100; so as to make the amount \$5,020.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The reading of the bill was resumed and continued to the end of the appropriations for the Fish Commission, on line 7, page 54.

Mr. ALLISON. I move that the Senate adjourn.

The motion was agreed to; and (at 5 o'clock and 10 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, April 29, 1902, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

MONDAY, April 28, 1902.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of the proceedings of Saturday, April 26, 1902, was read and approved.

BUSINESS OF COMMITTEE ON THE DISTRICT OF COLUMBIA.

Mr. MUDD. Mr. Speaker, I understand it is desirable to the Committee on Agriculture to go ahead with its bill to-day. In view of this fact, as well as the further fact that the chairman of the Committee on the District of Columbia, who introduced and reported the only important measure that that Committee would have for consideration to-day, is absent on account of sickness, I ask unanimous consent that Monday next be set aside for the consideration of District business instead of this day.

The SPEAKER. The gentleman from Maryland [Mr. MUDD], from the Committee on the District of Columbia, asks unanimous consent that one week from to-day be set apart for the business of that committee. Is there objection?

There was no objection.

NAVAL APPROPRIATION BILL.

Mr. FOSS, from the Committee on Naval Affairs, reported the bill (H. R. 14046) making appropriations for the naval service for the fiscal year ending June 30, 1903, and for other purposes; which was read a first and second time, and, with the accompanying report, ordered to be printed and referred to the Committee of the Whole House on the state of the Union.

Mr. RICHARDSON of Tennessee. I reserve all points of order.

The SPEAKER. The gentleman from Tennessee reserves all points of order on the bill.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. STEVENS of Minnesota, for ten days, on account of important business.

To Mr. APLIN, for fifteen days, on account of important business.

AGRICULTURAL APPROPRIATION BILL.

On motion of Mr. WADSWORTH, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 13895) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1903, with Mr. HULL in the chair.

Mr. WILLIAMS of Mississippi. Mr. Chairman, I should like to inquire how much of the three hours apportioned to the minority is left?

The CHAIRMAN. The minority has one hour and thirteen minutes.

Mr. WILLIAMS of Mississippi. Mr. Chairman, I desired to yield ten minutes of that time to the gentleman from Tennessee [Mr. GAINES], and I had promised to yield fifty minutes of that time to the gentleman from Illinois [Mr. FEELY]. I do not see either of these gentlemen in the Hall of the House. I will ask the gentleman from New York [Mr. WADSWORTH] if it is possible for him to yield some of his time to some gentlemen on that side?

Mr. WADSWORTH. Mr. Chairman, I yield to the gentleman from Kansas [Mr. CURTIS].

The CHAIRMAN. How much time?

Mr. WADSWORTH. The gentleman from Kansas can take the floor in his own right.

Mr. CURTIS. Mr. Chairman, I had not intended to take up the time of the committee on this bill, and I want to say at the outset that I shall say nothing about the bill; but so much has been said recently in criticism of a gallant Kansas officer that I feel justified in occupying the attention of this committee for a few minutes.

Mr. Chairman, if the criticisms had been limited to remarks made by General Funston, I should not say a word upon this floor, because I believe the people of this country have a right to criticize any speech by any man; but I do say that the critics have gone too far when they attack the record of that gallant officer. At the outset I desire to say that the people of Kansas are proud of the brave, the daring Gen. Fred Funston. [Applause.] I want to say further that he is criticised because he performed an act which, for daring conception and execution, capped the pyramid of honors won by our men at arms. He is also criticised by the gentlemen on the other side of this Chamber because he captured their George Washington—Aguinaldo.

What did he do in addition to capturing Aguinaldo? He took the Twentieth Kansas, a regiment which had been ridiculed and cartooned from ocean to ocean and from the Gulf to the Lakes,

and under his management and the management of its other officers the Twentieth Kansas became the best regiment that served during the war with Spain. It was the Twentieth Kansas that set the pace for the regiments of the other States in the Philippine Islands. And I want to say to the gentlemen on the other side of this House that had some of the statesmen who are criticising him to-day accomplished what General Funston accomplished they would be the Democratic candidates for President of the United States at this time. [Applause.]

Mr. HENRY C. SMITH. They would not be elected.

Mr. CURTIS. No; they would not be. It is claimed he violated the rules of honorable warfare. Who recommended his promotion for the daring act he performed? General Wheaton. Who is General Wheaton? A man who served gallantly in the war from 1861 to 1865; a man who knows more about war and the rules of war than all the politicians in this country. Who else recommended his promotion? General MacArthur, who has been in the service of the United States since 1861. Who signed his commission? The greatest beloved President we have had, the soldier-statesman, the martyred McKinley. Would these generals have recommended his promotion, would President McKinley have promoted him, had he been guilty of violating the rules of honorable warfare?

The only trouble with the gentlemen who criticise him is this: He accomplished what they and their friends were unable to accomplish. He did what they could not do. He was promoted, and justly, for this service. The people of Kansas are proud of him; and I believe if you get down to the truth 90 per cent of the people of this country are proud of General Funston and are proud of what he did for this country in the Philippine Islands.

Out in our State we are proud of the Army and the Navy. We are proud of the fact that one squadron of our Navy carried our flag of liberty, of civilization, to islands nestling in beauty but ruled by tyranny, and we say all honor to Admiral Dewey for the splendid victory he won on May 1, 1898. We are very proud of the fact that another squadron of our Navy, on the 3d day of July, 1898, sent the pride of the Spanish main to the bottom of the sea. It may have been a captains' victory, but, out in our country, the people say all honor to the man second in command, who was there doing duty, all honor to Admiral Schley. [Applause.]

Now, I have simply made these few remarks this morning that the members of this House may know, so far as Kansas is concerned, we do not indorse what the critics say of General Funston. One of his critics has said that General Funston reminded him of the slaughter Samson made, and that he had won a great battle with the jawbone of an ass. I am reminded of a story they tell of a distinguished gentleman while a member of this House. When he first came here as a member of Congress, like other members of Congress, he was invited to address a congregation in the vicinity. He was to address it on Sunday, and as he arrived a little early, they invited him to talk to the boys. He thought he would ask some questions, and one of the conundrums he put to the boys was this: "What weapon was it that Samson used when he slew the Philistines?" None of the boys could answer; so he said: "Boys, don't you know?" None answered. At last he put his hand up to his jawbone, and, rubbing it, asked: "Boys, what is this?" One bright little fellow promptly responded, "The jawbone of an ass." [Laughter and applause.]

Mr. WILLIAMS of Mississippi. Mr. Chairman, I yield forty minutes to the gentleman from Illinois.

Mr. FEELY. Mr. Chairman, I know that in the matter that I now propose to discuss I may incur the criticism and the good-natured bantering of such members as the gentleman from Michigan [Mr. HENRY C. SMITH], who last Friday criticised members on this side of the House for talking about things that are not, to his mind, of particular importance to the House. But I will say to him that if it had not been for the good-natured and discriminating charity of the members of this side of the House such members as he would in the last two or three weeks have had a very undesirable sort of "water cure" administered to them.

I desire to refer for a moment to the interpretation of the treaty of Washington made last week by the gentleman from Massachusetts [Mr. GILLET]. I have read and reread with respect, with a desire for knowledge, and with a desire to form a judicial opinion if possible on the matters which he therein discussed. After devoting considerable time to the proposition alleged by him to have been advanced by members on this side, that it was unlawful for citizens of this country to sell arms and munitions of war for the use of a belligerent, which proposition nobody on this side has to my knowledge seriously advanced or contended for, the gentleman proceeds to say:

To correctly interpret the treaty, it is necessary to consider its history and attendant circumstances. And I challenge any man to study the history of that rule—

Referring to rule 2, article 6, of the treaty of Washington—and the correspondence about it between the two Governments who framed it without being convinced that the rule applies only to supplying vessels carrying on war and not to any other sale of military supplies.

I would say to the gentleman that I have carefully examined the correspondence alluded to by him. I have gone outside of the domain of published correspondence, where I am constrained to believe he went for his data, and I am one of those who accept his challenge and contend for a different interpretation of the treaty than that which he set forth in his remarks last Wednesday.

The gentleman from Massachusetts quoted a telegram from General Schenck to the Secretary of State, Mr. Fish, dated June 9, 1871, as follows:

LONDON, June 9, 1871.

FISH, Secretary of State, Washington:

It seems probable that to remove serious objection to ratification of treaty here some declaration should be made limiting interpretation of second rule, sixth article, so as not to restrict sales of arms or other military supplies in ordinary course of commerce. Will the President authorize such expression of views and purpose in bringing rules to knowledge of other maritime powers and asking assent to them? De Grey in difficulty because no understanding on this point expressed.

SCHENCK.

Then the gentleman proceeds: "To this our Secretary of State cabled the following answer:"

DEPARTMENT OF STATE, Washington, June 10, 1871.

SCHENCK, Minister, London:

The President understands and insists that the second rule of Article VI does not prevent the open sale of arms or other military supplies, in the ordinary course of commerce, as they were sold in this country during the late French-German war, and as they were sold to this Government in England during the rebellion, and as we understand them to have been sold also in England during the late French-German war.

In bringing the rules to the knowledge of other powers, and in asking their assent, this Government will express this view, and will insist that such is the proper interpretation and meaning. It will be well that the two Governments agree upon the same terms of expression in presenting the rules to other powers.

You are authorized to read this dispatch to Lords Granville and De Grey. FISH, Secretary.

The gentleman then proceeds to quote from the debate in the British House of Parliament, where Sir Roundell Palmer put the question direct to Mr. Gladstone, if the interpretation of the latter part of rule 2, article 6, was to be limited to a prohibition to furnish supplies to naval vessels, and then he quotes as direct an answer in the affirmative by Mr. Gladstone, plainly showing what the interpretation of that rule was on the part of the British foreign office and the whole British governmental authority.

He then states that the two Governments, through their departments of state, began negotiations as to the draft of a joint note to be submitted to the maritime powers, explaining our and their interpretation of that rule and requesting the accession thereto of those maritime powers, and he states that the following draft was prepared by the British foreign office and submitted to us for approval before sending it to other maritime powers. That note is as follows:

As some question has been raised as to the true import of the second rule, that rule is understood by Her Majesty's Government (and, as the Government of — will learn from a similar communication that will be addressed to it by the representative of the United States, by the Government of the United States also) as prohibiting the use of neutral ports or waters for the renewal or augmentation of military supplies or arms to a belligerent only when those acts are done for the service of a vessel cruising or carrying on war or intended to cruise or carry on war against another belligerent and not when military supplies or arms are exported for the use of a belligerent power from a neutral port or waters in the ordinary course of commerce. And it is in order to prevent any future misunderstanding on this point that the undersigned, in communicating the three rules above recited to the Government of — and in inviting the accession of that Government to them, is ordered distinctly to state the construction which the Government of Her Britannic Majesty and the Government of the United States put upon the second rule, and under which they invite and desire to accept the accession of the Government of —, as they will that of all other maritime powers.

The gentleman from Massachusetts then goes on to say:

The United States Government agreed to all of the declaration material to the issue we are now considering, so that it stands as the interpretation of rule 2 by the two parties to it. There arose, however, some differences—all petty—as to the wording of the declaration, which occasioned a long correspondence and some friction, and meanwhile it appeared probable that the rules would not be accepted by the other great powers, so that after long and spasmodic correspondence the submission of the agreement to other powers was dropped.

There, Mr. Chairman, is the admission of the gentleman from Massachusetts—who relies on that interpretation as having been made by the British office and having been accepted by our Department of State—in that paragraph that when it came to the draft of the rule of interpretation for submission to other powers there were disagreements constantly creeping up between this Government and the British foreign office, which disagreements he brushes away with a wave of his hand, with the statement that they were all petty.

Now, Mr. Chairman, I have examined the foreign relations as published, together with the correspondence published and unpublished, respecting this proposed identic note which was proposed for submission to the maritime powers for assent by them,

and I confess that I must admire the gentleman's caution when he incorporated into the sentence which I have a few moments ago quoted the phrase "all of the declaration material to the issue we are now considering." He therefore admits that the United States Government disagreed to a part of the declaration. But he assumes to regard as immaterial a point which Hamilton Fish, who was our Secretary of State at the time of the controversy, and whose name is enrolled with the most brilliant and distinguished of American diplomatists and statesmen, regarded as material—so much so, in fact, that he was willing to suspend correspondence with the British foreign office unless his contention should be accepted. His contention was that the word "exported" should be omitted from the proposed identic note where it occurs in the gentleman's quotation, after the phrase "when military supplies or arms are" and before the phrase "for the use of a belligerent."

Now, what was the reason for the insistence by Secretary Fish upon the omission of the word "export?" Fortunately, this is not clouded by doubt or any lack of authentic information. Examining the records of the State Department, I find that Mr. Fish expressed himself in clear and positive terms on this subject, and that he was supported therein by the United States Senate, which he intimates went even further than he did in disapproving of this note of interpretation. I have here a copy of a letter which he addressed to General Schenck, our representative in London, which is recorded in the State Department as No. 44, Fish to Schenck, and which I will read as part of my remarks. It is as follows:

DEPARTMENT OF STATE, Washington, August 11, 1871.

SIR: * * * I inclose also the draft of a note proposed to be addressed to the maritime powers bringing to their notice the rules laid down in Article VI of the treaty.

This draft was submitted to me by Sir Edward Thornton, under instructions, as he informed me, of his Government.

In the margin are the amendments and alterations proposed on behalf of this Government.

These alterations are understood to have been all agreed to by the British Government except that they proposed the substitution of the word "either" for "another" in the sentence originally proposed in these words: "For the renewal or augmentation of military supplies or arms [to a belligerent] only when [those acts are done] such supplies or arms are [for the service of a vessel cruising or carrying on war, or intended to cruise or carry on war against [another] either * belligerent," etc.

And of our proposed alteration substituting the words "the open sale of arms or other military supplies in the ordinary course of commerce" for the language used in the British draft they propose the words "sale or export" in place of the words "open sale."

To the former of these exceptions (that substituting "either" for "another") we immediately assented; to the latter (proposing to substitute "sale or export" for "open sale") we were unable to agree.

The language proposed by us is precisely that of the telegram sent to you from this Department on 10th June last, in compliance with the request of the British minister as communicated in your telegram of 9th June last.

We prefer, therefore, to adhere to that language.

The word "export" introduced in the counter suggestion of Sir Edward Thornton might imply and admit much more than either Government desires. It might be claimed to authorize the direct exportation of arms, etc., to a belligerent from the ports and in the vessels of the neutral.

While this Government holds that a neutral can not be deprived of the right of manufacturing and selling within its own jurisdiction arms and munitions of war by reason of the existence of a state of war between two other powers, it holds, as the President announced in his proclamation of 22d August, 1870 (of which a copy accompanies this), that neutral vessels can not carry such articles upon the high seas for the service of either belligerent without incurring the risk of hostile capture and the penalties denounced by the law of nations in that behalf.

It may be a question whether the introduction of the word "export," as proposed, would not relax the sound rule of law thus laid down by the President, and might not be claimed to sanction the employment of neutral vessels in the transportation on the high seas of arms and munitions of war for the service of a belligerent.

Another reason why the words proposed by the British Government can not be admitted in a note to be addressed by this Government to the maritime powers in construction of the latter part of the second of the rules is that a proposition thus to construe that part of the second rule is understood to have been made in the Senate pending the debate on the treaty and not to have met the approval of that body.

Of course I can not speak with certainty of what occurred in the confidential discussion of the Senate, but rumor seems to be sufficiently positive in this particular to indicate the impropriety and the inexpediency of this Department adopting the language which the Senate refused as a construction or explanation of any part of the treaty.

It is desirable that the two Governments submit the rules to the maritime powers in the same spirit and with the same interpretation.

As the negotiations on this point were introduced here by Sir Edward Thornton, we shall endeavor to reach a conclusion with Mr. Pakenham, in the absence of Sir Edward Thornton, and this explanation is given for your information, and that, if practicable, in informal and unofficial conversation you may be able to maintain the position of this Government on the interpretations of the claim in question and assist in inducing the British Government to accept the language of the telegram of June 10.

I am, etc.,

HAMILTON FISH.

Here, Mr. Chairman, is the cap of the climax:

Another reason why the words proposed by the British Government can not be admitted in a note to be addressed by this Government to the maritime powers in construction of the latter part of the rule—

Mark you—

is that it is understood to have been considered by the Senate, pending the debate on the treaty, and not to have received the approval of that body. Of course I can not speak with certainty of what occurred in the confidential

* Words in brackets to be omitted, and those in *italics* to be inserted.

discussion of the Senate, but the rumor seems to me to be sufficiently positive in this particular to indicate the impropriety and inexpediency of this Department adopting the language which the Senate refused as a construction or explanation of any part of the treaty. It is desirable that the two Governments submit the rule to the maritime powers in the same spirit and same interpretation.

Mr. Chairman, in all the long correspondence which ensued respecting this subject, extending over seven years, before the matter was dropped, Mr. Fish never once relaxed his contention as to this matter, and this fact resulted in a failure of the proposition to submit identic notes by the two Governments to the maritime powers. It was plain to all the maritime powers would not accede to the interpretation.

As evidence that our Government took a firm stand on this question and regarded the declarations of the treaty as nugatory, as far as international law was concerned, without accession thereto by the maritime powers, I quote the following letter of Mr. Fish to Sir Edward Thornton:

DEPARTMENT OF STATE,
Washington, May 8, 1876.

SIR: * * * There remains, however, another provision of the treaty as yet entirely unperformed. By the sixth article, three rules were agreed upon as binding on a neutral government and applicable to the questions submitted to the arbitrators at Geneva, and in addition the two Governments agreed to observe these rules as between themselves in future, as well as to bring them to the knowledge of other maritime powers, and to invite them to accede to them.

Although the agreement of the high contracting parties to observe these rules as between themselves, and to bring them to the knowledge of the other maritime powers, and to invite them to accede to them is contained in one paragraph, these obligations unitedly forming parts of a single engagement, absolute in its character and coming into operation immediately, no effective steps have been taken in that direction. Whatever delay has necessarily occurred as to other articles there appears to be no reason for delay in reference to that portion of Article VI to which I have referred.

In informing you, therefore, of the readiness of the Government of the United States to proceed with the nomination of a third commissioner, I have to request that you will inform your Government that the United States desires that the requisite steps be taken at the same time, that the three rules laid down in Article VI of the treaty of Washington may be brought to the knowledge of the other maritime powers, and that the invitation provided for may be extended to them to accede thereto. In so doing the two Governments will be enabled at the same time to dispose of the two questions under the treaty of Washington which are still outstanding.

I have the honor, etc.,

HAMILTON FISH.

Now, Mr. Chairman, nobody on this side of the House desires any radicalism in the treatment of this question. So far as I know there is no sentiment of hereditary enmity or ancient opposition connected with the discussion of this question. Those who are believed to have given some credence to the reports of the alleged violation of the neutrality laws in Louisiana and the contributions thereto by other parts of this country only desire that the light be thrown on this question—only desire to interpret the laws of this land in a judicial manner—in a manner that will stand the search light of the legal luminaries of the world. We desire to put no interpretation on that treaty that is not warranted by an intelligent reading of the English language and a clear understanding of the duties of neutrals under the law of nations. And we submit to you that whatever secret correspondence was had with respect to an interpretation of this rule between the two Governments, laying aside the reported refusal of the other governments to accede thereto, there was not even enough of assent between the two Governments to give any such interpretation of the rule as the gentleman from Massachusetts contended for.

He himself admits that the rule needs interpretation if his view is to be sustained. If it does not actually mean that the ports and waters of this Government can not be used for the augmentation of military supplies for any belligerent power, he knew that to successfully contend for his interpretation of the rule it was necessary to go off the face of the treaty. If there was ambiguity there he considered that ambiguity to be latent; and I believe he went out of the domain of published correspondence. I believe he went into the secret archives of the Government, or of that part, anyhow, which has not been published, for his information; and everyone has the right to go there to find the interpretation of the officials of the Government at that time.

When we go there what do we find? We find that the British foreign office placed a restricted interpretation on the second rule of the sixth article of that treaty. We find that the Secretary of State of the United States was willing to limit to a certain extent the interpretation of that rule, but not to the extent the British foreign office desired; but we find that in the American system of statesmanship the Secretary of State desired to be governed in his deliberations on matters of this kind by a reference to the Senate of the United States. And we find that after referring to the Senate the language of that proposed note to the maritime powers, the Senate refused to place upon it the interpretation which the British foreign office desired.

That, Mr. Chairman, disposes of the petty (?) differences suggested by the gentleman from Massachusetts. Pray, what would be considered important if these are petty? If there was any

doubt as to the real meaning of that treaty—if it was necessary to dig down underneath and examine the records of the State Department for a clear insight into what was meant in the treaty—it is plain there was no agreement to limit the meaning of the words of the treaty of Washington.

Mr. GILLET of Massachusetts. Will the gentleman allow me a question?

Mr. FEELY. In a moment. The last part of rule 2 contains these words:

To suffer either belligerent to make use of its ports or waters as the base of naval operations against the other, for the purpose of renewal or augmentation of military supplies or arms or for the recruitment of men.

That question is as open to-day, so far as any light has been thrown on it in the discussion in this House, as it ever was. And the prohibition can not be said to be limited wholly to naval operations.

I now yield to the gentleman from Massachusetts.

Mr. GILLET of Massachusetts. I have just come into the Hall of the House and consequently have heard but a small part of the gentleman's remarks. I want to ask him whether he does not admit that the interpretation of a treaty between two powers is decided absolutely if the two powers afterwards agree as to what it meant?

Mr. FEELY. Not when the rights of other powers are involved. And I submit to the gentleman that no two of the great powers can enter into any treaty which would foreclose or limit the right, such as neutrality, of other nations without the assent of other nations thereto. If the gentleman from Massachusetts has any other doctrine of international law to submit I would be glad if he would exhibit it now.

Mr. GILLET of Massachusetts. I quite agree with the gentleman on that point. What I mean to ask is whether two nations joining in a treaty can not be limited by their own agreement as to the meaning of that treaty as between themselves.

Mr. FEELY. I submit that no nation or no two nations have a monopoly in the matter of declaring what the rights of neutrals are; and no two countries can decide what those rights are and set up their interpretation as against the right of other powers, and furthermore the facts do not disclose any such agreement between Great Britain and the United States.

Now, Mr. Chairman, every time anyone submits here any remarks of sympathy for the struggling burghers in the South African Republic, somebody sneers, somebody laughs, somebody wants to proceed to the regular order of business or to talk about a post-office somewhere, or good roads somewhere else. I am not going into any extended oration declaring my sympathy for the struggling burghers in South Africa to-day. The time for the raising of a voice of sympathy for them has passed in this House and in the Senate of the United States. In the early days of the war there were here (as Daniel Webster was here at the time of the struggles of the Greeks with the Turks) men who raised their voices for liberty, who raised their voices for the upholding of republican forms of government, and for the existence of republican systems everywhere.

Resolutions of sympathy were drafted. The same words that Henry Clay used when here were sent to the Committee on Foreign Affairs of this House, and to the Committee on Foreign Relations of the Senate, but we were too busy at that time civilizing and "benevolently assimilating" to pay any attention to the struggling burghers in South Africa, or any people on earth struggling for liberty and for democratic forms of government. I say that the time has passed for sympathy. Webster raised his voice for the struggling Greek, and Clay raised his voice for them also, and they did not fear then that the simple expression of sympathy would involve them in a trouble with foreign powers. On the 20th of January, 1824, Clay said, in speaking to a resolution in the House expressing sympathy for the struggling Greeks:

Has there, then, been no pillow reflections on such a subject? Is it now that we are for the first time to sleep upon it? The proposition is before us. It asks us to speak a cheering word to the Greeks. Gentlemen have to say yes or no. That monosyllable was all that was asked of them. Let them say distinctly whether they would give so much encouragement as this to a nation of oppressed and struggling patriots in arms, or whether they would shut themselves up in a cold, shivering, contracted, but mistaken policy, which must in the end react upon ourselves. If in a proposition so simple, so plain, so harmless, so free from all real danger as this we were to shut our hearts from the influence of every generous every manly feeling let gentlemen say so at once.

What says Daniel Webster at such a time as this? On January 19, 1824, in the House of Representatives, Mr. Webster said, speaking on his resolution to make provision for defraying the expenses of an agent or commissioner to Greece:

The attitude of the United States, meanwhile, is solemn and impressive. Ours is now the great Republic of the earth; its free institutions are matured by the experiment of a half a century. Yes, as a free Government it goes farther back—the benefits of a free Constitution have virtually been enjoyed here for two centuries. As a free Government, as the freest Government,

its growth and strength compel it, willing or unwilling, to stand forth to the contemplation of the world. We can not obscure ourselves if we would; a part we must take, honorable or dishonorable, in all that is done in the civilized world. Now, it will not be denied that within the last ten years there has been agitated in the world a question of vast moment, a question pregnant with consequences favorable or unfavorable to the prevalence—nay, to the very existence—of civil liberty. It is a question which comes home to us. It calls on us for the expression of our opinion of the great question now before us.

Even as late as March 24 the following resolution was introduced by the gentleman from Texas [Mr. RANDELL], and every member on this side is ready to vote for it if opportunity is offered:

Joint resolution (H. J. Res. 170) expressing sympathy for the two South African Republics and urging cessation of hostilities.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress of the United States hereby expresses the sympathy of the people of the United States for the people of the South African Republic and the Orange Free State in their heroic struggle to maintain their liberty and independence.

SEC. 2. That the Congress appeals to the British Government in the interest of humanity to accept overtures for peace, cease hostilities, and endeavor to bring about a just and honorable settlement of existing differences between the British Government and the two South African Republics, to the end that peace may be established.

SEC. 3. That the United States should, and will, fairly and honorably maintain a position of strict neutrality in this contest between nations friendly to us, and that the Administration should see to it that the neutrality laws are rigorously and impartially enforced.

But we were too interested in other concerns; we were too interested in administering the water cure of civilization to people of other climes to pay any attention to the question of republican forms of governments on earth, and so nothing was said. Gentlemen, the time has passed when the people of South Africa desire any sympathy from us.

ENFORCEMENT OF NEUTRALITY ALL THAT IS DESIRED.

All they desire of us, and all the people of this country in whose veins run blood in which courses the warmth of the love of liberty, ask of the House and of the Senate and of the Government at this time is that our arms, like the arms of justice, shall be always uplifted in token that neutrality shall be preserved in all its spirit and in all its letter. I am not personally acquainted with the conditions existing in Louisiana. I have only to take what you take, the report from the newspapers and from officials who have investigated there. But I believe there exists a base of supplies for the British Government, which ought to be investigated and which, I understand, has been officially investigated, although the report of the investigation has not as yet been submitted to us.

I hope that that submission will be made to us, that we shall see whether we have been as a nation derelict in our duty under the international code, whether we have allowed any great nation, no matter whether she claims to be our cousin, no matter whether she claims to be the mother of all our civilization, of all that we have to be thankful for in this country, whether we have allowed to have extended from this country and this people help for a great nation on one side, as against no help, not even sympathy, for a weak little nation on the other side. The South African republics, whether successful or unsuccessful, will take their places in history, and historians will allot to them, whether we do or not, the place of a nation that was brave and true to its ideals; that took up a sword in a holy and a just war; that contended against the right of another nation claiming a sort of domain over them, or suzerainty over them, to enter into their internal affairs for the simple reason that the material welfare of gentlemen interested in a mining company was at stake.

No one, I say, can read the history as written by the English themselves of the inception of this war without feeling a sympathy for the Boers on account of the manner in which they were dragged into this war, and no one can read the history of that war without being convinced of the brutality and ferocity with which it was carried on by those whose desire it was to exploit the gold mines of South Africa. No one can read the history of how those poor people, driven from one place to another, hunting for pasturage for their cattle, settled down in peace and in quiet after the campaign of 1881 and the convention of 1884 in the belief that hereafter they would be undisturbed in working out their own salvation and in governing themselves, then happening to find themselves the center of a great mining horde coming in upon them, to upset their institutions and to drive them from their own fastnesses, first, by the power of the bullet, which failed, and second, by the power of the ballot, which until to-day has failed, has absolutely failed—no one can read that history without feeling in his heart a sympathy for these unfortunate people.

Gentlemen, I desire not to bring anything into the record here of a sensational character, for gallery-playing statesmanship has no part in the category of my ideals, but I look upon this plainly as any American citizen looks upon it, with a desire to see that justice is done and that our Government keeps its position in the

honorable place where it ever has been kept. In answer to the remarks of some who deem this a subject irrelevant I desire to quote the language of the Hon. James Brice himself as to the cause of this war.

It being admitted that the war was an unjust one, that the attitude of the British Government in attempting to stamp out and eradicate this Republic is an unjust attitude, then I say, that fact being admitted, any man who holds a commission from any constituency in this country has a right to raise his voice in so far as it can be effective in setting forth the position that he believes that our country ought to occupy when a kingdom is waging an unjust war against a republic. If we say in private that republican forms of government are the best and that we desire to see them succeed, who can accuse us of an unfriendly act if we say that in public, and if the Government says it?

Says the Hon. James Bryce, M. P., whose impartiality is everywhere admitted:

Under the convention of 1884, which fixed the relations of Britain and the South African Republic, the latter had the most complete control of its internal affairs, and Britain possessed no more general right of interfering with those affairs than with the affairs of Belgium or Portugal. The suzerainty which has been claimed for her, if it existed (for its existence under the convention of 1884 is disputed), related solely to the power of making treaties, and did not touch any domestic matter. When, therefore, the British Government was appealed to by the Uitlander-British subjects who lived in the Transvaal to secure a redress of their grievances, her title to address the Boer Government and demand redress depended primarily upon the terms of the convention of 1884, any violation of which she was entitled to complain of; and, secondly, upon the general right which every State possesses to interpose on behalf of its subjects when they are being ill treated in any foreign country. Under these circumstances it might have been expected that the questions which would have arisen before Britain went to war for the sake of her subjects living in the Transvaal would be these two:

First. Were the grievances of her subjects so serious, was the behavior of the Transvaal Government, when asked for redress, so defiant or so evasive as to contribute a proper casus belli?

Secondly. Assuming that the grievances (which were real, but in my opinion not so serious as has been frequently alleged) and the behavior of the Transvaal did amount to a casus belli, was it wise for Britain, considering the state of feeling in South Africa, and the mischief to be expected from causing permanent disaffection among the Dutch population; and considering also the high probability that the existing system of government in the Transvaal would soon, through the action of natural causes, break down and disappear—was it wise for her to declare and prosecute war at this particular moment?

Strange to say, neither of these two questions ever in fact arose. That which caused the war was the discussion of another matter altogether, which was admittedly not a grievance for the redress of which Britain had any right to interfere, and which, therefore, could not possibly amount to a casus belli. This matter was the length of time which should elapse before the new immigrants into the Transvaal could be admitted to citizenship, a matter which was entirely within the discretion of the Transvaal legislature.

Then he goes on to state the commencement of negotiations, the raising of extra troops by the British Government, and the commencement of hostilities by the Boers.

Now, Mr. Chairman, it is not to criticise this Government; it is, in the first instance, to set forth my views as to the clear and proper interpretation of the treaty of Washington here, and to call attention to my belief that if Port Chalmette is being used as a base of supplies for the furnishing of munitions of war to the British in South Africa some attention ought to be paid to that matter and these operations should be stopped, and the power of this Government be brought to bear in compelling a cessation of them.

Sentiment in this country doubtless is in favor of the struggling Republics of South Africa. Nobody, Mr. Chairman, desires to take advantage of that sentiment for political reasons. Nobody desires to drag into the discussions of this House questions immaterial to ourselves as an American Republic; but we do believe that wherever there are respectable allegations of a violation of neutrality those respectable allegations should be examined into and there should be no further violation of neutrality permitted by our Government. Let us hope that the Republics of South Africa will carry on their own war; that they will succeed, if you please, if it is not high treason to express a wish that they succeed; and if they do not succeed, that while they are endeavoring to succeed the United States Government shall extend no aid to Great Britain in endeavoring to stamp them out and to erase from the map of the earth one more republic. Let us take this question, if the gentleman from Massachusetts [Mr. GILLETT] desires, out of politics. No one desires to criticise any Administration that does its duty. No one will. All anyone wants is fairness and the enforcement of the neutrality laws. [Applause.]

Mr. GILLETT of Massachusetts. Mr. Chairman, when I came into the hall a few minutes ago the gentleman from Illinois was criticising some remarks I made the other day on the duty of the United States as a neutral in the present Boer war. I regret that I did not hear the first part of the gentleman's remarks. But I wish to point out one or two erroneous statements which I did hear. The gentleman stated that I quoted, in order to maintain that we were doing our duty and to maintain our interpretation of the treaty, from secret archives of the State Department. What I quoted is in a published Senate document, No. 1, volume

1, of the third session of the Forty-fifth Congress, and a message from the President of the United States. I gave the citation in my printed remarks. So that when the gentleman states I quoted from secret correspondence he was certainly erroneous.

Mr. FEELY. Will the gentleman kindly point out the citation?

Mr. GILLETT of Massachusetts. I will, if the gentleman will send me the copy of the RECORD, or if he will read my remarks he will see himself. It is on page 4836, the third paragraph from the bottom. I confess it strikes me as a little strange that the gentleman should criticise remarks I made when, apparently, he has not even read them, because the citation is clearly given.

Mr. FEELY. Will the gentleman kindly read the page?

Mr. GILLETT of Massachusetts. Four thousand eight hundred and thirty-six, about ten lines from the bottom of the page, in the first column. Now, that citation—

Mr. FEELY. I will say to the gentleman that the citation made was not important and was not regarded as important in this discussion. The citation to which I referred was the letter of Hamilton Fish, which I pointed out as being an important document. I would say to the gentleman, further, that if I did ascribe to him the fact of his having gone to the secret archives of the Government, I will state to him that he was compelled to do so or he would not have found citations which he quoted. And I certainly do not intend to question in any way his right to go there as an individual, the same as anyone else would have done.

Mr. GILLETT of Massachusetts. I did not go to any secret archives, and have not been near the State Department in investigating this subject. I want to say to the gentleman that if he had taken the pains to look up my citation he would have found this whole correspondence, and I cited nothing that was not therein contained.

Mr. FEELY. That does not contain the letter of Hamilton Fish that I had read.

Mr. GILLETT of Massachusetts. That is contained in Wharton's Digest of International Law.

Mr. FEELY. This letter which I read in connection with my remarks?

Mr. GILLETT of Massachusetts. I do not know what letter you read.

Mr. FEELY. I am informed by the officials of the State Department that it was never published. Part of the letter was published as Document 215, Foreign Relations, but the part of the letter which bears on this question was not published, but was expressly omitted.

Mr. GILLETT of Massachusetts. I did not cite anything that was never published, and the letter from Mr. Fish which I cited was published in Wharton's Digest. I do not think it is consistent in the gentleman to criticise me for citing from the secret archives when it appears that the gentleman has been doing that himself. I did not quote anything not printed in an official document or in the Digest of International Law.

Mr. FEELY. I did not mean that in any sense of criticism, but I was looking up especially that matter, upon which we may possibly learn much more later on.

Mr. GILLETT of Massachusetts. I do not criticise the gentleman for looking up the secret archives, and if he did not mean to criticise me I am contented; but he cited it as a fact, and what he cites as a fact was an error. If the gentleman in reading my remarks had looked up the citation I gave, he would have discovered everything which I referred to. Now, Mr. Chairman, the gentleman contends that our right as a neutral was not defined by the interpretation which the two Governments agreed to of rule 2 of the treaty of Washington. There again I think the gentleman is quite wrong in his view of international law. The United States and Great Britain agreed upon the meaning of this rule 2, which says that neutrals shall not allow belligerents to augment supplies or use their ports as naval bases.

That was in the treaty of Washington, between the United States and Great Britain. Consequently the only nations that were bound by that statement were the United States and Great Britain. No other nation in the world was bound by it. We said that for the purpose of the Alabama claims we will recognize that rule, and we will also call the attention of other European nations to it; will put an interpretation on it and try to get them to ultimately adopt the same rule for the future.

Mr. FEELY. I would like to ask the gentleman from Massachusetts this: He has stated other nations are not bound by the interpretations which we and the English Government placed upon that rule. Admitting that we did, for the sake of argument, are other nations limited to that construction?

Mr. GILLETT of Massachusetts. Why, of course they are not limited at all by that rule. It is not a rule of international law; it is a rule of the treaty between the United States and Great Britain.

Mr. FEELY. But then, Mr. Chairman, the interpretation placed upon that rule by the British Government can not be considered a part of international law.

Mr. GILLET of Massachusetts. Certainly not, Mr. Chairman. The interpretation put upon it by Great Britain and the United States only interpreted that rule of the treaty and made that rule between those two nations a part of the law, and that only. I say that nobody can contend here that the rule can have a different meaning, inasmuch as the United States and Great Britain, the only two parties to the treaty, afterwards stated exactly what they meant by it, both nations taking pains to say that they did not mean that it should be interpreted in the way in which the gentleman is now contending that it should be and gentlemen on that side have before contended, but these two nations have explicitly stated what was the meaning of the rule, and they went on to reduce to writing their understanding, in order when it came to the consideration of other nations their meaning should be clear.

Any other nation can accept that rule or not. Up to date no nation has been willing to accept it, and therefore it is simply a rule between the United States and Great Britain. Those two powers have interpreted the treaty, and it only means what they have interpreted it to mean.

Mr. FEELY. I would like to ask the gentleman how far a power like Germany would be bound by that interpretation?

Mr. GILLET of Massachusetts. Not at all; Germany does not recognize the rule.

Mr. FEELY. How can the gentleman rely upon that interpretation as a part of the international law when he says that no other government would be bound or limited by it?

Mr. GILLET of Massachusetts. The gentleman from Illinois either does not or will not understand me. I stated explicitly that I did not claim it was a part of the international law; it is simply a treaty between the United States and Great Britain. These two powers have made a treaty, and have interpreted it, and have put in writing what they mean by it. When Great Britain adopted it and asked us what we meant by it, and we stated that we meant what we now claim, and she agreed to that meaning, after that neither of these powers can claim anything else. If any other nation should adopt it, they can interpret it as they please.

Mr. FOSTER of Illinois. Mr. Chairman, will the gentleman allow me a question?

The CHAIRMAN. Does the gentleman from Massachusetts yield to the gentleman from Illinois?

Mr. GILLET of Massachusetts. Certainly.

Mr. FOSTER of Illinois. I would like to ask the gentleman if this war was between Germany and England instead of between England and the South African Republic, and this country was allowing its ports to be used as a source of military supplies, supplying horses and mules to Germany, would the gentleman then put the interpretation on the treaty that he now does?

Mr. GILLET of Massachusetts. Of course I would; certainly I would. That is the only interpretation that either the United States or England ever have a right to put on this treaty, the interpretation that we put upon it at the time, and which both nations have said that it meant. After that we are both bound by it and can not put any other interpretation upon it.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. WILLIAMS of Mississippi. Mr. Chairman, I now yield two minutes to the gentleman from Illinois [Mr. FEELY].

Mr. FEELY. Mr. Chairman, I desire to state that the gentleman from Massachusetts relies on an interpretation of the rule of the treaty of Washington that is only a declaration of what national neutrality is.

Mr. GILLET of Massachusetts. That is where the gentleman is mistaken.

Mr. FEELY. One moment; if I am mistaken the gentleman from Massachusetts will have time to criticize my remarks. We are discussing the laws of neutrality, and he relies upon the declaration of the law of neutrality insisted upon by Great Britain, refused to be acceded to by the United States Senate and by the Secretary of State, and one which he admits that the maritime powers of the world would scoff at and pay no attention to.

Mr. WILLIAMS of Mississippi. I will now yield ten minutes to the gentleman from Tennessee [Mr. GAINES].

Mr. GAINES of Tennessee. Mr. Chairman, the House river and harbor bill appropriated \$175,000 for the completion of lock and dam at Harpeth Shoals, known as Lock A, and \$5,000 for maintenance. Harpeth Shoals is officially known as Lock A, and is the beginning of what is known as the "Lower Cumberland" improvement. The work on this part of the river is to erect locks and dams, five in number, from A to G, both inclusive.

The "Upper Cumberland" begins at Lock No. 1. This lock is

located 2 miles below Nashville. The House river and harbor bill carried \$105,000 to complete the lock and dam at Lock No. 1.

The Senate has amended this provision by striking out the words "for the completion of Lock and Dam No. 1 and for maintenance, \$105,000," and substituted the words "continuing improvement and for maintenance, \$205,000," which amount is for "improving Cumberland River, Tennessee, above Nashville," as the bill states: that is, for improving the Upper Cumberland, which begins at Lock 1.

It will be observed the Senate has added \$95,000 to the House bill for the "Upper Cumberland."

It is my purpose now to show why Congress should appropriate money to continue the work on both the Lower and Upper Cumberland at the same time. I must be brief, as my time is short, and state tersely the salient facts. The Senate report accompanying the bill as it stands amended in the Senate, at page 343, states:

The masonry of lock walls and abutment Nos. 1, 5, 6, and 7 is completed; Lock No. 2 will require no dam abutment, and the dam abutment of Locks 3 and 4 are still to be provided.

With the completion of the operation now in progress at Locks 1 and 5, the work remaining to be done in order that the seven locks (1 to 7, inclusive) may be made operative is estimated to cost \$308,740.15.

As the bill left the House work is being done on both the Upper and Lower Cumberland, while, as stated, the Senate, seeing the importance of at least continuing the work on Locks 2 to 7, inclusive, has added \$95,000 to the Upper Cumberland appropriation.

Congress has already spent nearly a million and a half dollars on the Upper Cumberland and the work done is doing no one any good. It is a dead investment as it stands, a loss to the people and the Government.

The official report last issued by the War Department, part 3, states that from January 1 to December 31, 1900, in the Upper Cumberland the total tonnage was 289,218 and that, "as far as ascertainable," the "estimated value" of this tonnage was \$8,395,055; passengers carried, 17,906; vessels plying thereon, 31. During the fiscal year 1896 there were only 48,393 on the Upper Cumberland; 1897, 82,675; 1898, 89,776, and that in 1899 it rose to 294,763 tons for the calendar year, and in 1900 (calendar year), 289,218.

The total tonnage by this same report for the lower Cumberland from January 1, 1900, to December 31, 1900, was 407,088; estimated value, \$1,140,616; passengers carried, 11,000. For the entire river, then, we have for the year 1900 a total tonnage of 696,306 tons, with an estimated value of \$13,535,671. This tonnage and its value I am satisfied are incomplete and give less than the total value of this tonnage.

We see the official report states that the value of the upper Cumberland tonnage, "as far as ascertainable," is \$8,395,055. In other words, the tonnage and its value of the Cumberland has not been fully ascertained, and I may add the possibilities of this river as a commercial stream are incalculable, and will be, so rich is the country this river taps, until possibly these locks and dams as planned are completed.

These figures show that this river "is worthy of the attention and fostering care of the Government," and that the Cumberland is not an "insignificant" stream.

The gentleman from Ohio [Mr. BURTON], in his speech on the river and harbor bill, found at page 3091 of the RECORD, recently said:

I think it will be conceded by all that when a waterway has attained a tonnage of over 100,000 tons per annum it is worthy of the attention and fostering care of the Government.

The tonnage, I have shown, aggregates 696,306, exclusive of 28,906 passengers, and I am satisfied if the true tonnage was known the tonnage alone would amount to more than that given in this war report. So, on the question of tonnage, this river deserves "the attention and fostering care of the Government."

Again I read the language of the gentleman from Ohio [Mr. BURTON], as follows:

I think it will be again conceded that when the value of commerce on a waterway exceeds \$1,000,000 per annum it is taken out of the category of streams which are insignificant.

I have shown that the estimated value of the tonnage on this river is \$13,535,671. So that by this official data and the words of the gentleman from Ohio [Mr. BURTON] the Cumberland River can not be placed in the list of "insignificant waterways."

So much in making, from indisputable data, the Cumberland River "a stream worthy of the fostering care of the Government."

If Congress would complete the locks and dams on the Upper Cumberland, where practically only the dams are needed, except as stated, the work could be done in a year or two, great benefit would be derived by the people of Tennessee, Kentucky, Ohio, and Mississippi valleys.

At the same time Congress should appropriate money to continue the work on the Lower Cumberland. This plan the friends of the Cumberland all insist upon, and I am glad to see the Senate has determined to go up and down this river at the same time in improving and has taken a step further than the House in going farther up the river by appropriating \$95,000 additional over and above the House appropriation.

The policy of the House committee seems to have been, and to be, to complete the first lock on the Upper Cumberland, No. 1, and then go on down the river, completing the work lock by lock, A to G, which would take many years the slow way the work has been done by reason of small appropriations.

The work on the Upper Cumberland to Lock 7 could be completed in about two years if money was appropriated for that purpose.

The hidden wealth of the country drained by the Upper Cumberland has never been utilized and will not be until river access to the Cumberland is given by improving it with these locks and dams. Almost mountains of coal, unbroken forests, and immense cornfields in this section are now rendered practically valueless as to the outside world for want of this river improvement. Nashville alone buys millions of agricultural products from Ohio, Indiana, Illinois, and Missouri, when the Cumberland River is navigable, or the rainy season, while there is more or less of such traffic throughout the year in its present condition and low water. The farms of Davidson County are known all over the world for raising the finest of horses and blooded stock, while Montgomery, Robertson, Cheatham, Stewart, Houston, and Dickson counties in Tennessee and many in Kentucky grow millions and millions of tobacco for direct foreign trade.

Why, Mr. Chairman, as a matter of fact, "Nashville is the fourth city in the Union in grinding what is known as winter wheat, the capital so invested ten years ago amounting to \$5,931,137, and the value of the product, 20,797,279 tons"—more, sir, than every other Southern State, including West Virginia, Kentucky, Maryland, including also Oklahoma, New Mexico, and the Indian Territory.

But, Mr. Chairman, it is not my purpose to enter into a comparison of the city of Nashville or the State of Tennessee with sister cities or States. I simply wish to show the great importance of improving this river that starts in the mountains of Kentucky and sweeps through the blue-grass region of Tennessee to its mouth in western Kentucky.

I may add that the mouth of the river has been improved by the Government since Congress has undertaken to improve the Cumberland River.

But let me now bring forward some additional official data which will surprise those who are not conversant with the facts, as they were indeed a surprise to me. I have taken the pains for weeks and weeks, if not months, to search for these statistics. The Cumberland River Improvement Association, composed of patriotic and intelligent Tennesseans, were asked to furnish this data by the chairman of the River and Harbor Committee. But the figures which I now have cover more territory than those the association submitted to the committee some weeks ago. I have here the population, and true and assessed valuation of all property, of 65 counties in Kentucky and Tennessee, located in what is well termed the Cumberland River Valley and drained by the Cumberland River.

The total population for these 65 counties was, in 1900, 1,149,586; in 1890, 991,900.

The true value of the real estate and improvements in these counties in 1890 was \$241,712,846, while the assessed value of the same in 1890 was \$144,048,041.

The assessed value of the personalty in 1890 was \$62,990,593, while the total assessed valuation of this real and personal property in 1890 was \$207,038,634.

This was the true and assessed valuation of this property ten years ago. Of course the value now is much greater. I regret not having these values for the year 1900.

Now, Mr. Chairman, I desire at this point to ask unanimous consent to insert this table in my remarks.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent to print the table to which he refers as part of his remarks. Is there objection?

There was no objection.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GAINES of Tennessee. I have had five minutes more yielded to me. Certainly I have not occupied ten minutes.

The CHAIRMAN. The gentleman has occupied eleven minutes.

Mr. GAINES of Tennessee. I had five minutes additional yielded to me by the gentleman from New York [Mr. WADSWORTH].

The CHAIRMAN. Then the gentleman from Tennessee has four minutes left.

The table referred to by Mr. GAINES of Tennessee is as follows:

Population and valuation of real and personal property in counties adjoining counties bordering on or crossed by the Cumberland.
[From the Eleventh and Twelfth Censuses of the United States.]

| County. | Population. | | True valuation of real estate and improvements in 1890. | Assessed valuation of real estate and improvements in 1890. | Assessed valuation of personal property in 1890. | Total assessed valuation of real and personal property in 1890. |
|-----------------------|-------------|---------|---|---|--|---|
| | 1900. | 1890. | | | | |
| Letcher, Ky..... | 9,172 | 6,920 | \$1,035,000 | \$570,145 | \$246,715 | \$816,860 |
| Perry, Ky..... | 8,276 | 6,331 | 1,228,931 | 889,652 | 189,353 | 1,079,005 |
| Leslie, Ky..... | 6,753 | 3,964 | 641,040 | 439,628 | 177,590 | 617,218 |
| Clay, Ky..... | 15,364 | 12,447 | 1,820,452 | 939,342 | 438,813 | 1,378,155 |
| Jackson, Ky..... | 10,561 | 8,261 | 619,000 | 523,255 | 261,949 | 785,204 |
| Rockcastle, Ky..... | 12,416 | 9,841 | 928,700 | 588,627 | 504,719 | 1,093,346 |
| Lincoln, Ky..... | 17,059 | 15,962 | 7,190,000 | 3,685,772 | 2,200,137 | 5,885,909 |
| Casey, Ky..... | 15,144 | 11,848 | 1,591,000 | 1,067,448 | 554,672 | 1,622,120 |
| Adair, Ky..... | 14,888 | 13,721 | 1,762,729 | 1,067,337 | 665,922 | 1,733,259 |
| Metcalfe, Ky..... | 9,988 | 9,871 | 1,211,856 | 792,830 | 467,165 | 1,259,995 |
| Barren, Ky..... | 23,197 | 21,490 | 3,716,257 | 2,332,605 | 1,441,202 | 3,773,807 |
| Allen, Ky..... | 14,657 | 13,692 | 1,724,726 | 980,709 | 585,245 | 1,555,954 |
| Claiborne, Tenn..... | 20,696 | 15,103 | 3,150,000 | 1,380,950 | 256,249 | 1,637,199 |
| Campbell, Tenn..... | 17,317 | 13,486 | 2,065,000 | 1,324,050 | 519,968 | 1,844,018 |
| Scott, Tenn..... | 11,077 | 9,794 | 1,033,000 | 762,905 | 776,171 | 1,539,076 |
| Pickett, Tenn..... | 5,366 | 4,736 | 579,362 | 292,681 | 9,222 | 292,003 |
| Overton, Tenn..... | 13,353 | 12,089 | 1,344,162 | 665,081 | 48,484 | 713,565 |
| Putnam, Tenn..... | 16,890 | 13,683 | 1,696,000 | 1,102,400 | 126,720 | 1,229,120 |
| Dekalb, Tenn..... | 16,480 | 15,650 | 2,184,290 | 1,382,840 | 125,650 | 1,508,490 |
| Cannon, Tenn..... | 12,121 | 12,197 | 2,272,598 | 1,107,799 | 106,444 | 1,214,243 |
| Rutherford, Tenn..... | 33,543 | 35,097 | 8,270,780 | 5,767,520 | 1,762,317 | 7,529,837 |
| Williamson, Tenn..... | 25,420 | 23,321 | 7,390,145 | 4,657,430 | 1,141,729 | 5,799,159 |
| Hickman, Tenn..... | 16,367 | 14,493 | 3,040,007 | 2,032,725 | 372,300 | 2,405,025 |
| Humphreys, Tenn..... | 13,368 | 11,720 | 2,285,285 | 1,384,480 | 548,584 | 1,933,064 |
| Houston, Tenn..... | 6,476 | 5,390 | 748,765 | 532,631 | 351,406 | 884,037 |
| Benton, Tenn..... | 11,888 | 11,230 | 1,533,242 | 960,635 | 422,678 | 1,413,373 |
| Henry, Tenn..... | 24,208 | 21,070 | 3,392,587 | 2,454,400 | 766,900 | 3,221,400 |
| Calloway, Ky..... | 17,693 | 14,675 | 1,950,997 | 1,515,968 | 1,020,237 | 2,536,205 |
| Marshall, Ky..... | 13,692 | 11,287 | 1,423,656 | 1,038,772 | 763,173 | 1,801,945 |
| McCracken, Ky..... | 28,733 | 21,051 | 11,600,000 | 5,529,888 | 1,906,003 | 7,435,891 |
| Calderwell, Ky..... | 14,510 | 13,186 | 2,569,947 | 1,587,203 | 1,020,216 | 2,607,419 |
| Christian, Ky..... | 37,962 | 34,118 | 10,168,000 | 5,534,212 | 2,206,791 | 7,741,003 |
| Todd, Ky..... | 17,371 | 16,814 | 4,699,757 | 2,214,222 | 1,189,817 | 3,403,539 |
| Robertson, Tenn..... | 25,029 | 20,078 | 4,817,903 | 2,675,645 | 871,106 | 3,546,751 |
| Macon, Tenn..... | 12,881 | 10,878 | 1,191,006 | 900,125 | 600,000 | 999,125 |
| Union, Ky..... | 21,326 | 18,229 | 8,190,645 | 4,281,033 | 1,228,223 | 5,509,256 |
| Webster, Ky..... | 20,067 | 17,196 | 5,110,000 | 1,609,685 | 1,082,009 | 2,691,694 |
| Simpson, Ky..... | 11,624 | 10,878 | 3,681,896 | 1,766,250 | 1,167,844 | 2,934,094 |
| Total..... | 623,922 | 544,753 | 119,780,291 | 68,053,080 | 27,583,473 | 95,636,553 |

Population and valuation of real and personal property in counties bordering on or crossed by the Cumberland River.
[From the Eleventh and Twelfth Censuses of the United States.]

| County. | Population. | | True valuation of real estate and improvements in 1890. | Assessed valuation of real estate and improvements in 1890. | Assessed valuation of personal property in 1890. | Total assessed valuation of real and personal property in 1890. |
|-----------------------|-------------|---------|---|---|--|---|
| | 1900. | 1890. | | | | |
| Harlan, Ky..... | 9,836 | 6,197 | \$1,987,851 | \$1,342,496 | \$248,732 | \$1,591,228 |
| Bell, Ky..... | 15,701 | 10,512 | 6,163,500 | 2,906,709 | 574,721 | 3,482,430 |
| Knox, Ky..... | 17,372 | 13,702 | 2,100,000 | 1,168,611 | 733,850 | 1,902,461 |
| Whitley, Ky..... | 25,015 | 17,590 | 1,910,727 | 1,581,342 | 1,677,206 | 3,258,548 |
| Laurel, Ky..... | 17,592 | 13,747 | 1,555,981 | 959,213 | 999,461 | 1,958,674 |
| Pulaski, Ky..... | 31,293 | 25,731 | 3,109,000 | 2,153,777 | 1,222,456 | 3,376,233 |
| Wayne, Ky..... | 14,892 | 12,832 | 1,753,618 | 1,163,500 | 550,672 | 1,714,172 |
| Russell, Ky..... | 9,695 | 8,136 | 968,000 | 619,657 | 381,388 | 1,001,045 |
| Clinton, Ky..... | 7,871 | 7,047 | 886,950 | 534,688 | 297,025 | 831,713 |
| Cumberland, Ky..... | 8,962 | 8,452 | 1,734,500 | 800,724 | 471,709 | 1,272,500 |
| Monroe, Ky..... | 13,053 | 10,989 | 1,355,800 | 846,480 | 490,410 | 1,336,890 |
| Clay, Tenn..... | 8,421 | 7,230 | 1,080,819 | 717,213 | 84,539 | 801,752 |
| Jackson, Tenn..... | 15,059 | 13,325 | 1,503,862 | 982,575 | 60,950 | 1,042,525 |
| Smith, Tenn..... | 19,026 | 18,404 | 3,619,000 | 2,624,241 | 651,163 | 3,275,404 |
| Trousdale, Tenn..... | 6,004 | 5,850 | 1,243,785 | 805,857 | 148,001 | 953,858 |
| Wilson, Tenn..... | 27,078 | 27,148 | 6,232,710 | 4,169,230 | 965,892 | 5,135,112 |
| Sumner, Tenn..... | 26,072 | 23,668 | 6,826,566 | 3,820,753 | 1,867,508 | 5,688,261 |
| Davidson, Tenn..... | 122,815 | 108,174 | 54,950,000 | 30,430,240 | 17,441,568 | 53,871,808 |
| Cheatham, Tenn..... | 10,112 | 8,845 | 1,569,850 | 926,550 | 157,267 | 1,083,817 |
| Dickson, Tenn..... | 18,635 | 13,645 | 1,670,255 | 1,086,170 | 432,762 | 1,518,932 |
| Montgomery, Tenn..... | 36,017 | 29,697 | 10,443,500 | 5,178,705 | 1,763,514 | 6,942,219 |
| Stewart, Tenn..... | 15,224 | 12,193 | 1,768,184 | 1,145,456 | 140,744 | 1,286,200 |
| Trigg, Ky..... | 14,073 | 13,032 | 2,092,752 | 1,628,602 | 798,113 | 2,426,715 |
| Lyon, Ky..... | 9,319 | 7,628 | 1,646,500 | 800,386 | 621,803 | 1,421,689 |
| Crittenden, Ky..... | 15,191 | 13,119 | 2,069,800 | 1,529,553 | 835,118 | 2,364,671 |
| Livingston, Ky..... | 11,354 | 9,474 | 1,564,000 | 1,171,801 | 676,539 | 1,848,340 |
| Total..... | 525,664 | 447,147 | 121,932,555 | 75,994,961 | 35,407,120 | 111,402,081 |

RECAPITULATION.

| Counties bordered on or crossed by | Counties adjoining | Total |
|------------------------------------|--------------------|---------------|
| 525,664,447,137 | 121,932,555 | 647,596,992 |
| 623,922,544,753 | 119,780,291 | 743,702,844 |
| 1,149,586,991,900 | 241,712,846 | 1,391,300,000 |

Mr. GAINES of Tennessee. Mr. Chairman, just a word or two more. I received a day or two ago a very valuable communication—a letter from the secretary of the Ohio Valley

Improvement Association—insisting on the improvement of the Cumberland River. The letter contains also a petition, signed by a great number of river men, who own many boats, and so forth, operating on the Cumberland and Ohio rivers. The letter reads as follows:

Hon. JOHN W. GAINES, Washington, D. C.

PADUCAH, April 17, 1902.

DEAR SIR: We notice by the papers that the Cumberland River has been passed by the present Congress almost unnoticed, and that you are making a hard fight to get in good work when the conference of the two Houses meets.

We have hurriedly gotten up the inclosed petition, but find many of our boat owners absent, and can not obtain their signatures in time to go with this.

We enjoy the distinction of having more steamboat and barge tonnage here than any other city in the valley, excepting Pittsburg and Cincinnati, and we greatly feel the need of river improvement on the Cumberland. We trust this may be of some little service to you; would like to have sent it via Nashville, where many others would have signed.

Yours, very truly,

F. M. DOUGHERTY, General Agent.

The petition, Mr. Chairman, is signed by a large number of the leading boatmen who live in the neighborhood of Paducah owning various boat lines.

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. GAINES of Tennessee. Mr. Chairman, I ask unanimous consent to insert this petition as a part of my remarks. It speaks of many logs and snags in the river and urges immediate relief.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent to print the documents to which he refers in the RECORD. Is there objection?

There was no objection.

The petition referred to is as follows:

PADUCAH, KY., April 17, 1902.

To the honorable Senators and Members of Congress of the United States:

Be it petitioned by the business men and boatmen of this immediate vicinity, living and dwelling at the nearest point to the mouth of the Cumberland River, it having come to our knowledge that there is a possibility that the Cumberland River will not share largely in the appropriations of the present Congress:

We desire to set forth in a brief manner the necessity of improvement of that stream. But more especially the lower portion of it, from Nashville, Tenn., to its mouth. There is a great volume of business done on the lower end of the stream that may not be known to the people generally living on the upper end of this stream above Nashville. The packet lines running from Nashville, Tenn., to Evansville, Ind., and from Nashville, Tenn., to Paducah, Ky., do a large business when the stage of water permits navigation. The log and lumber business from that stream is large. But the largest industry is that of railroad ties taken to the North and great Northwest, amounting in the aggregate to many millions per annum.

There is much complaint from the boat owners and their captains and pilots on account of the logs and snags in the channel of the stream, which at a very small cost could be removed, giving a wider channel, to enable the towing steamers with their fleets of barges to pass in safety.

We are glad to be able to commend the work already done on the lower end of the river, and will be pleased to see a continuance of the same.

Z. Baker, manager Ayer & Lord Tie Company steamers *Russell*, *Lord*, *Jim T. Duffy, Jr.*, *Pavonia*, *Inverness*, and *Hosmer*, with fleet of 65 barges; Henry A. Pettu, president Paducah Dry Dock Company; Walter Hoagland, manager Tennessee Towing Company; James Hogan, superintendent St. Louis and Tennessee River Packet Company; J. D. Render, superintendent steamers *I. N. Hook* and *Wilford*; J. T. Bishop, superintendent *J. B. A.* and *Mary N.*; Ed Woolfolk, secretary Paducah Towing Company steamers *Woolfolk*, and *Monte Bauer*; Wm. Rutledge, agent Standard Tie Company; G. F. McCabe, general agent of the Holcomb-Lobb Company steamer *Lyda*.

J. F. Beatty, agent Bradley-Watkins Tie Company; I. H. Fowler, president Evansville, Paducah and Cairo Packet Company; J. L. Kilgore, owner steamer *Maude Kilgore*; John McCaffrey, owner steamer *Ten Broeck*; D. A. Geiser, mayor of Paducah, Ky.; J. W. McKnight, president Paducah Marine Railway; C. E. Bostwick, president Pittsburg Mining Company, on Cumberland River; Jas. Owen, owner Paducah Ferry Company and mining properties on Lower Cumberland River, with 3,000 acres, and shippers of 50,000 to 60,000 bushels corn, chiefly up Cumberland River, annually, also large shippers for his neighboring farmers.

Mr. SIBLEY. Mr. Chairman, the members of this House are not unaware of the fact that I have been an earnest advocate of expansion, that I have favored the acquisition of the Philippine Archipelago, and have attempted to defend the policy of the Administration, if any defense were necessary, in its efforts for the pacification of those islands.

It has been my belief that not alone honor, but duty, justifies our position there; that an all-wise and overruling Providence has committed to us the task of carrying the arts of peace and the story of the cross to the remotest and darkest regions of the globe, and that our standards, moral and civic, are to permeate and bless the downtrodden of God's children wherever found. It has been my belief that the commercial welfare of our nation demands that we should control that archipelago, standing as it does as the gateway of the oriental world. It is the judgment of all investigators that Manila is destined to become one of the greatest commercial cities of the globe; that there will be assembled at that port the products of the teeming millions of the Far East, and therefrom distribution to the markets of the world, and that our nation will profit from the acquisition of this archipelago beyond the imagination of man at the present time to conceive.

Not infrequently have we read or listened to the charges that American soldiers were cruel in the conduct of the warfare in the archipelago. Often these statements were made, at least so it seemed to me, for partisan purposes. But, Mr. Chairman, when we have read, as we have in the past twenty-four hours, that a general, wearing the uniform of the Army of the United States, one who stands under the shadow of the banner of freedom, issues orders, not to conciliate a province, but to leave it a howling wilderness, and to kill all above 10 years of age, then humanity must stand aghast and look backward for more than eighteen centuries for the prototype of the modern Herod.

In the veins of what boy has the blood not run cold as he has read of such world-scourges as Timour the Tartar, Attila, "the scourge of God," or of the atrocities of the invading Saracens? If the public press correctly reports the general's admission that these were his orders, then we can thank our God that it has taken eighteen centuries to produce another Attila, another Timour the Tartar; and we blush that such a one should be called an American.

We have heard much of the "water cure," and have believed that these statements were untrue, or at least exaggerated. But within the last few days attempts have been made to explain away or minimize the terrible features of such a torture.

Can any man whose blood bounds in his pulses, any man who has read his Bible or has been reared at the knee of a Christian mother, justify the perpetration of such cruelties upon any being who wears the guise and image of his Creator? Men attempting to justify pumping a man full of water, drowning him, and then bringing him back to life by thumping upon his distended stomach with the butts of muskets! This is not civilization. This is barbarism. This is not Christianizing the world. This is not leading humanity toward the higher summits of life. This is searing and blighting the life, brutalizing the instincts of those who must participate in or witness such methods. When American soldiers are compelled to even witness the infliction of such cruelties under the command of a general officer, then we are taking the boys who left Christian homes, full of love of country, of patriotism, and of humanity, and brutalizing them. This will bring them back not the better qualified, as they should be, for the higher duties of citizenship, but with contempt for the sanctity of human life and insensible to human suffering. This is the turning back of the hands upon the dial which marks the advancing steps of a Christian civilization. This is the defilement of the temple which Christianity erects in the lives of good men.

We can all rejoice that the case before us is exceptional, that this cruelty has not marked the general conduct of our arms in the East, and that but few Americans have participated in the perpetration of such outrages. During the past winter Governor Taft has been before the committee of which I have the honor to be a member, and I am sure that each member of the committee enjoyed, as I did, listening to his testimony, to hear of his success in the pacification of the provinces; and all fair-minded men recognize the grand and good work that that Commission has been doing and has so well-nigh accomplished in the pacification of nearly all of these provinces.

But, Mr. Chairman, it is my judgment that no race of human beings upon this earth can be permanently pacified through methods of drowning and then bringing them back to life by the thumps of the butt of a musket upon the distended stomach. So long as a generation shall live within that province which shall be told of those cruelties, told of the edict which put to death—innocent and guilty alike—those above 10 years of age, will not the memory of that wrong rankle, and will those people ever look with confidence upon the people of this Republic? As one who stands upon the Republican side of this Chamber; as one who believes that he voices the sentiment of men upon both sides of this Chamber; as one who trusts he belongs, not alone in the Republican ranks, but in the ranks of the brotherhood of man the wide world round, I wish to voice the protest from members upon both sides of this Chamber when we declare against such abuses of power. [Applause.]

A friend of mine said to me but a moment ago, "You had better wait until you hear the General's defense before you make your protest." If the General is correctly reported and stands by the declaration with which he is credited, assuming the responsibility for such orders, then I desire to say that there is no defense; and I hope the President of the United States will have the courage, upon this man's admission, to discharge him dishonorably from the service which he has thus disgraced. [Applause.]

If he is correctly reported as admitting that he issued orders to leave that province a howling waste and wilderness and to kill all above 10 years of age, the innocent with the guilty, that man ought never to be permitted to stay in the service of the United States until the sun goes down. He is a blot not alone upon the army in the Philippines; he is a disgrace to every man who ever wore the uniform of the United States, and he is a blot and a disgrace upon our present civilization. Wait and hear what his

justification may be! That man does not live who can justify such orders! [Applause.] There is no justification. There can be no justification. I care not how adroit may be his lawyers, how subtle may be their reasoning, or how cunningly they may frame their plea; the fact, admitted by his own mouth, that he issued such orders is sufficient for me to hope that there is the courage and the patriotism, the humanity and the Christianity, at the other end of this avenue that will not permit him to wear the Federal uniform twenty-four hours hence.

This is no question of party. This rises above all party levels. In the name of humanity we protest. For the fame of our civilization; for the honor of those who wore both the blue and the gray during the long years of civic strife; in the name of those who wore the nation's uniform and marched to glory and to honor beneath the folds of the American flag in Cuba, in Porto Rico, and in the Philippines; in the name of the compassionate Christ, whose followers we profess to be, we protest and deny the right of any man to wear the American uniform under a commission from this Government and place such a blot upon the banner of freedom. Nor can we believe that the God of battles can march with us where such practices are permitted to prevail. [Applause.]

Mr. WILLIAMS of Mississippi. I yield one minute to the gentleman from Virginia [Mr. OTEY].

Mr. OTEY. Mr. Chairman, in considering the matter of the agricultural bill the following bill introduced by me should, in my opinion, have the most prominent place, for nothing can be so essential for the well-being and progress of the great farming interest of this country as good roads:

A bill (H. R. 12650) to provide good roads in the 45 States and 4 Territories of the United States.

Whereas it is of the greatest importance that there should be a uniform system of good roads in the 45 States and 4 Territories of the United States, to the end that there may be increased facilities for the dissemination of knowledge by means of rural free delivery and more intimate and efficient interstate commerce; and

Whereas the people of the United States demand good roads as part compensation for the burdens of taxation which they bear for foreign commerce: Now, therefore,

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of \$100,000,000 be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, to be set aside by the Secretary of the Treasury, to be known as the "good-roads fund." *Provided*, That the Secretary of the Treasury may, if no money is available unappropriated, sell bonds for the purposes of this act, rate of interest not to exceed 2 per cent per annum, under such rules and regulations as he may deem proper.

Sec. 2. That the Secretary of Agriculture be, and he is hereby, authorized and directed to apply the said amount, or so much thereof as hereinafter provided, in the construction of good roads and highways in the 45 States and 4 Territories on such plans and specifications as he may adopt as being fitted to secure permanent, good, and substantial highways in the respective localities, such roads and highways to be varied in construction only as may be demanded in the character of material in different sections.

Sec. 3. That the Secretary of the Treasury be, and he is hereby, authorized and directed to transfer from said fund so much of the said good-roads fund as the Secretary of Agriculture may from time to time call for to pay for the said construction of said highways.

Sec. 4. That the said construction shall proceed contemporaneously in the aforesaid States and Territories as nearly as practicable: *Provided*, That after \$1 per capita has been expended in any State or States or Territory or Territories no further expenditure is to be made until work is completed in all the aforesaid States and Territories: *Provided*, That any section of road not exceeding 25 miles may be completed in excess of the aforesaid per capita to prevent deterioration and loss.

Sec. 5. That condemnation proceedings must be had under the existing laws of the respective States and Territories, and all damages assessed must be charged to and paid out of that State's quota of the good-roads fund in which the damage is assessed.

Sec. 6. That the Secretary of Agriculture be, and he is hereby, authorized and directed to organize a force of engineers to superintend the construction of said roads and highways, which shall consist of one chief engineer to every _____ miles, at a salary of _____ dollars, and one assistant engineer to every _____ miles, at a salary of _____ dollars, with such camp allowance and equipage as may be approved by him (the Secretary of Agriculture), and such other clerks, operatives, and laborers below the grade of \$1,200 as he may determine: *Provided*, That all such appointments must be distributed in the respective States in proportion to population, if practicable, and such total number of employees shall not exceed _____ in number to every _____ miles under construction.

Sec. 7. That the Secretary of Agriculture shall construct said roads by letting to contract to lowest bidder, unless, in his opinion, the work may be done more satisfactorily otherwise, and he is authorized to do any part or the whole of the work in any or all of the aforesaid States and Territories by Government force or contract, as it may appear to him best for the public interest.

Sec. 8. That the Secretary of Agriculture shall provide all instruments, stationery, appliances, utensils, camp equipage, livestock, vehicles, and other articles, and shall cause all necessary printing to be done, the cost of all of which and the salaries of all engineers and operatives shall be paid out of the general fund and be chargeable to the quota of the good-roads fund of no State or Territory: *Provided*, That the salaries of all engineers, assistant engineers, and other employees while actually engaged in work in any State or Territory shall be charged to the said State's quota of the good-roads fund.

Sec. 9. That the balance of the \$100,000,000 remaining after the general expenditures and the expenditure of \$1 per capita in said States and Territories shall constitute a reserve fund to be dealt with by Congress.

Sec. 10. That for purposes of this act the census of 1900 is to be the basis, and this appropriation shall be available July 1, 1902.

Sec. 11. That nothing in this act shall be construed as authorizing the improvement of any part of a road or street within the corporate limits of any incorporated town or city.

Sec. 12. That the Secretary of Agriculture may, if he deems it advisable, establish under his supervision a bureau of good roads, with a chief with a

salary of _____ dollars, to be appointed by the President and confirmed by the Senate.

SEC. 13. That all roads constructed under this act when completed are to become the property of the respective States and Territories and subject to the laws and regulations of said States and Territories.

SEC. 14. That no work shall be done in any State or Territory under this act until the legislatures of said States and Territories shall have passed resolutions accepting and approving of its terms.

SEC. 15. That the Secretaries of the Treasury and Agriculture are hereby directed to enforce the provisions of this act without delay, and all acts or parts of acts in conflict with this act are hereby repealed.

In my opinion the most important question before the American people to-day is that of good roads. Before it Nicaraguan Canal, ship subsidy, Cuban, or any other reciprocity sinks into insignificance.

Good roads, like all other good things, cost. Cheap articles are of inferior quality, hence our bad roads.

If we are to have good roads, we must pay for them. To pay for them we must be taxed. Then, if taxed, how? By the Federal or State government? I am in favor of the whole system of roads in this country being placed under Government construction, to be paid for out of the United States Treasury.

In a word, as you will observe, my bill provides for the direct appropriation of \$100,000,000 to be expended in the 45 States and 4 Territories of the United States in proportion to population, the census of 1900 to be the basis, and in no State to be expended more than \$1 per capita of population. Construction to be under Department of Agriculture; work to be done contemporaneously in all sections as nearly as practicable. Secretary of Agriculture may let by contract or construct otherwise, as he may determine, under specifications and plans to be uniform except as to variation to suit climatic and local conditions, but in all cases good and substantial highways. Legislature of States and Territories to approve and accept the provisions of this act before work shall begin. Appropriation to be available July 1, 1902; purpose of the act to facilitate dissemination of knowledge by means of mail delivery to every man's door, to foster education by facilitating school attendance, and to promote more intimate interstate relations.

It will be observed that if the Government would issue bonds, \$100,000,000 at 2 per cent, it would be a tax of 2½ cents per capita to meet this annual charge, a mere bagatelle.

Will anybody tell me why the United States Government should not construct good roads in the various States and Territories? Is there any difference in thus applying public money and applying it to creeks, branches, and rivers? Both are to expedite transportation, to help interstate and foreign commerce.

Suppose the \$400,000,000 (perhaps more) spent in the Philippine acquisition had been turned loose, under the well-directed efforts of some executive department of the Government, for construction of good roads, does anyone for a moment question which would have been the more beneficial to the people of this country? We have spent \$450,000,000 on rivers and harbors, millions for railroads, immigration, irrigation, foreign commerce, mail facilities, and are going to spend hundreds of millions for an isthmian canal—all worthy objects—and yet not a cent in a century for good roads. Public health appeals for it. It is no exaggeration to say that public roads leading to our towns and cities contain cesspools of disease, microbe incubators, and germ-life preservers.

I repeat, tell me why we should not have good roads constructed under the supervision of the Government. Are not creeks, bayous, spring branches made navigable by the magic touch of the river and harbor bill? Only about \$80,000,000 was appropriated last week. Do they not dam and lock streams to improve transportation? Is it not for the public good? But any more than would be public roads?

Submit to-day to the voters of the United States taxpayers a proposition for appropriation of \$200,000,000 for good roads on the one hand, or for an isthmian canal on the other, as popular as the latter is, and good roads would win 10 to 1.

As much good as the great canal would do, it shrinks into diminutive proportions compared with the enthusiasm for good roads.

As said a man of distinction respecting this great question:

Our people lead the world in almost everything else, but in this matter of building common roads they bring up the very rear of the procession. For instance, it is only 14 or 15 miles from the national capital to Mount Vernon, the home and final resting place of Washington. Though he has been dead more than a hundred years, the road between the capital and Mount Vernon has not been improved to any perceptible degree since he died. It is circuitous and at times almost impassable. The time has come when the General Government should again take up this work and expend some reasonable proportion of its great revenues in building up the main roads of the country. This is especially desirable in view of the fact that new and wonderful inventions have been brought forward within the last two years by which inanimate power can be applied in place of animal power upon these highways. With the bicycle, the automobile, the traction engine, and the suburban street car, we have many new vehicles the like of which was never known in the earlier days.

Now, when we remember that New York is nearer to San Francisco than it was to Baltimore seventy years ago, when the one

exchanges goods with the other every hour of the day, when we can travel more miles in a day than we could in sixty days then, when we can now whisper across the continent, we may think that it was the inventive genius alone of such men as Watt, Stephenson, Fulton, Bell, and Edison; but not so. "We have directed the national hand and loosened the national purse strings" to the encouragement of improved industrial methods; to the establishment of great commercial and mechanical centers, and in certain directions have so extended national aid as to enlarge and quicken the means of all transportation except that on public roads, and have expended millions to provide outlets for the accumulating inland trade. It was good statesmanship to do it. Yet it was less statesmanship that inspired it than it was the insistence of capital for Government aid.

As said a writer on this subject, in substance:

The Government has saved time, lightened labor, abridged distance in the operations of the banker, the merchant, the professional man, the manufacturer, yet has done practically nothing to allay the complaint of the farmer or to elevate his industrial condition.

He is too far from the Government; he is not in touch with it. He still travels the same road in some sections that was a better highway twenty-five to one hundred years ago than it is to-day. A precedent has already been set by the Government, even were it needed, to establish its right to enter into such construction.

During the early years of the Republic the National Government appropriated only about \$14,000,000 for the construction of the national highways to connect the capital with the distant parts of the country. The longest straight road ever built by any government in any country in the world was built by the United States from Cumberland, Md., through Maryland, Pennsylvania, Ohio, Indiana, Illinois, to St. Louis. This was not only the longest straight road ever built, but the best road ever built in America. It was productive of the greatest good in its day and generation, but owing to the differences in the minds of the leading statesmen of that day the work was finally abandoned, and for two generations past the General Government has done but very little or almost nothing toward the construction and maintenance of the highways of the country. As a result the great Cumberland road has fallen into decay, and there has been less progress made in the science and art of public road building in the United States from that day to this than in any other industry or department of knowledge.

The concentration of population and wealth in great cities would be largely overcome if the country districts should have their fair share of the appropriation of public money, and the consequent improvement of the country roads that would follow.

Transportation is the prime factor of civilization and wealth. No country can afford to neglect it, and no country can afford to neglect its agricultural interests—least of all can the United States do so.

This great interest is declining in the United States. If nothing else indicated it the steady increase of the percentage of urban population demonstrates it. In the beginning of the Nineteenth century one-twentieth of our population was urban, to-day one-third live in cities of 8,000 inhabitants and over, and there was 100 per cent increase between 1880 and 1890. To the want of good country roads is this condition largely attributable.

To the Congress of the United States the question of public roads seems a matter of small concern. But it is because its attention has not been invited and invoked to it by the great farming interest of the country. They must organize as manufacturers do—make their requests known and, in a business way, be heard.

Their produce can be and is moved thousands of miles at a less cost than it costs them to haul the same weight from their barns to their railroad station. In the great State of New York, according to the census of 1890, the value of the farm crops was exceeded by only four States, and the disproportion between the wealth of country and town was such that the value of farm lands was less than 8 per cent, and that of incorporated cities and towns was 92 per cent of all the taxable values. Certainly good public roads would have improved these conditions.

It must be obvious that improved means of transportation to local markets would give great relief to the farmer. Such difficulties as beset him in the wagon road—the necessity of light loads, wear and tear on live stock, long delays, mud blockades, broken axles, extra trips—would be tolerated by no other class of our citizens.

Yet public roads are placed in his immediate care, as if he alone had any more special interest in them than other classes, as if he alone should keep up repairs at his expense, when the truth is the public is quite as much interested as he and should as much as he bear the burden of construction and repair. Public roads, unlike the magnificent lines of transportation, unlike telephone and telegraph lines, are institutions of the body politic, and yet thus far the General Government has denied them even a modicum of support that it has showered upon schemes of private capital.

Again, the great volume of internal trade goes over the common public dirt road. It exceeds all the countless tons of freight of all the railroads in the country, as well as of the steamboats, for besides this freight which is first hauled over dirt roads to railroad stations and river wharves, there is still a large tonnage that never reaches either the station or the wharf, but is carted to local markets for home consumption.

With these views, which may be crude, I shall continue so long as I have the mental capacity and physical force to press for Government construction of public highways, believing, as I do, that it is just and right, and that under the operation of such a law good roads would be an accomplished fact; the country people—the farmers of this country—would receive some portion of that consideration that is due them, and that prosperity would not be piebald and in patches, but the whole country would blossom like a rose.

As illustrating what I would desire to say on the subject of good roads, I take the liberty of inserting herein an able address delivered at Charlottesville, Va., on April 4 last, before the Jefferson Memorial Good Roads Association, by Hon. Binger Hermann, of Oregon, who represented the State in Congress for a number of years, and who is at present the Commissioner of the General Land Office of the United States. He has given this subject much careful thought, and I invite the attention of the House to his address, which now follows:

THE BENEFIT OF GOOD ROADS.

Mr. President and gentlemen of the Jefferson Memorial Association of Virginia, in this age of inventive genius, wonderful industrial development, and marvelous riches, and with a nation of people unexcelled for their energy, public spirit, and patriotism, incredible strides have been accomplished in almost every conceivable direction whereby the comforts and conveniences of all our people have been the happy result.

Among these advances something has also been done in a few sections of our country as to an improvement in our road systems. Various counties and some States have actively entered upon a campaign of education along these lines, and satisfactory results have ensued, and the good work still goes on, but in most of the States of the Union, however, a sad deficiency is manifest, and even the last century has not contributed for good roads the proportionate stimulus which it has conferred on other material and industrial development. We justly boast of our magnificent railway and waterway communication, but let it not be forgotten that these are of little avail to the one who can not conveniently and cheaply reach them. This is evidenced in the difference between fairly good roads and railways.

The average cost of transportation by rail is now one-half of a cent a ton a mile, while that by the wagon road is ten and twenty times as high, while on some roads the cost of transportation is prohibitive. There is a lack of uniformity in the road systems of the different counties and States, which vary as much as the condition of the numerous roadways themselves. Unless this is remedied there will continue to exist indefinitely an obstacle to improved facilities for road travel whereby permanent, continuous, and easy transit may be assured direct from one community to another and from one portion of the lines of travel to the remotest confines of our common country. To that individual or corporation that may achieve this success there will be due the lasting gratitude and the devout blessings of endless posterity. If I were possessed of the gift of prophecy I should say that the hour of relief is near at hand and that to the National Good Roads Association shall we be indebted for the consummation of the end so long desired.

It is not so much the construction of roads that is needed as it is the construction of good roads. As an economic proposition, it may be said that a bad road is decidedly more costly than a good road. If I were asked my opinion of any section of country, I should first desire to know as to the system and condition of its roadways. Communities are poor in proportion as they are remote from transportation facilities. Cheap transportation means freer competition, and freer competition forbids unjust combination. Good roads are the advance agents of prosperity as well as equality. Good roads mean good markets, and they also mean cheaper and quicker transit between the market place, the farm, and the factory. Good roads mean a larger margin of profit to the producer and the manufacturer and also an easier rate to the consumer. Good roads mean appreciation in land values. Good roads also encourage production and induce population and social advantages. Good roads invite improved vehicles and require less power. It is estimated that 15 cents a ton per mile represents the difference between first-class good roads and the common country road. By authority of the Agricultural Department officials the significant assertion is made that 99 per cent of the entire roadway mileage of this country is practically unimproved so far as we may define good roads. If this be only partially true, the hour can not strike too soon for the people to awaken to the real situation which confronts them. The great railways have been liberally aided by our Government, and the waterways have received a generous recognition also. Let the next problem be, What shall we do for the people's roadways?

PIONEER ROADWAYS.

It was my lot to have been one of the early pioneers in the country west of the Rocky Mountains and in the dense forests facing the waters of the Pacific Ocean. It was necessary that we cross the rugged Coast Range to penetrate the interior, first upon Indian trails and often along the well-beaten highway traversed by the elk, then so frequently seen upon the western confines of the Republic. Later on, as the pioneer element increased, we blazed, cut out, and established our own trails, following easier gradients than those of our aboriginal neighbors. Thereafter followed the rude wagon road upon grades and curves still better, though often the vehicles were elevated and lowered over precipitous cliffs and carried around mountain sides. Even this crude beginning indicated an advanced stage in the pioneer settlement. The cross-cut saw, the shovel and the pick, and the grubbing hoe, with the ax and handspike, represented the implements in use. These, with the muscle and energy of the hopeful American pioneer, prepared the way from one community to another, and thence to the highway of the territory. Imperfect implements, scanty means, few neighbors, and general lack of skill and uniformity made slow progress. Even as population increased and improved methods and more plentiful means were obtainable there was yet missing the essential method requisite for good roads.

Necessity is the mother of invention, it is said, and to the pioneer this same necessity is often a blessing in disguise. It enabled us to reach the most inaccessible places and to establish routes which at first seemed impossible. Yet, with increased demands and with fifty years' expenditure of labor and

liberal contributions of money, the roads continue rough, unsatisfactory, and costly to the people who use them. While the advances of improved methods are noticeable everywhere and bring ease and comfort and success in all other enterprises, yet, with few exceptions, the country at large still moves upon roadways discreditable in the fair weather of summer and almost impassable and too often invisible in the inclement season of winter.

Though the United States is abreast of all other nations in the industrial problems of mankind, there is, as I have before remarked, one exception, and that is the wagon road. In this we are behind all other nations. Our people patiently endure the inconvenience and cost of traveling between the farm and the market place, and the reason improvement has been slow may too often be found in the old saying that what is everybody's business is nobody's business. It is too often the case that when one has safely worked his way over the hilly, rocky, or muddy road he forgets the effort another must make who follows him. Often he condemns the one who had preceded him for his lack of public spirit in the matter of internal improvements. In the main one depends upon the other and looks to him for an incentive, for a system, and for a start. Railroad corporations should be among the first to encourage and aid in such an awakening of the road conscience, as no interest is so much affected by good wagon roads as the railway. The better and the easier the transportation from the harvest field, the factory, the forest, and the mine to the railway station, the greater the traffic for the corporation. If it were not for the rural wagon road the railway could not exist.

A good road is a good investment to the county, State, or nation. Good roads lower taxation. This is history. The reason is obvious. The better the road, the greater the increase of property valuation and the greater the revenue from taxation. Heretofore we have given much of our attention and untold millions in aid to the long-distance transportation by rail and by water, and we have overlooked the shorter route which connects with our dooryards. It often costs as much to haul 1 ton from the barn to the depot or wharf as it does from there across the continent or over the ocean to the foreign market. The issue is imperative. How shall we improve transportation on the people's roads?

RECENT STATE LEGISLATION.

Many suggestions are offered and each worthy of serious consideration. In some States it is coming to be conceded that to leave the roadmaking to road districts or townships, or even to counties, is too burdensome, as but little progress is made. The local authorities there are unable to grapple with the situation. In some States there is a cooperation between the State and local authorities, and this plan is increasing in popular favor.

In New York, as an illustration, the county authorities submit a resolution to the State engineer describing the roadway improvement, and he investigates the same and certifies whether the road will be of sufficient importance for common traffic and travel. If he approves the highway, it is mapped in outline and profile and specifications and plans are prepared for such roadway as the climate, soil, and material in the vicinity and the nature of the traffic will require. Estimate is then made and sent the county board, and if approved the State engineer advertises for bids. The county engineer, if there be one, has charge of the work under the direction of the State engineer and shall report to him. One-half the cost of construction is paid by the State treasurer and one-half is a county charge.

If the county authorities recommend the road without a petition from the owners of the majority of the linear feet fronting on the highway, then 35 per cent of the cost becomes a legal county charge, and 15 per cent shall be a charge upon the town in which the improved highway may be. If, however, the authorities recommend to the State engineer on petition of property owners, then the county is still charged with one-half the cost, but 15 per cent shall be assessed upon the lands of such owners in proportion to the value of the lands fronting or abutting the highway, and the amounts are collected in the same manner as other taxes. Thereafter the county maintains the road as other county roads.

The State engineer may be consulted by any of the road authorities of the county, and he shall furnish all necessary information, plans, and direction for roadways and bridges upon request. He shall also hold one public meeting during the year in each county and report annually to the legislature as to the year's operations. This law has been recommended to the Industrial Commission as the "most suitable State-aid law passed by any State."

That of New Jersey is next in efficiency if not the equal of the New York law. They both follow practically along the same lines. New Jersey was the first to revive road building, and New York has imitated her system closely. Massachusetts has done much, and Ohio has a good record. In Massachusetts, however, the burden of improvement is virtually borne by the entire State.

Summing up this phase of the subject it seems reasonable to conclude that Congress should be urged to consider the advisability and the practicability of national cooperation with State and local authorities in roadway improvement, under such wise supervision and regulation as to extent and character of roadway, amount and proportion of aid, as would be just and consistent. At least let the matter be investigated by proper committees and report made.

HOW ARE GOOD ROADS CONSTRUCTED?

The first consideration in the establishment of a good road is the location, next the grade, then the cost of construction, and lastly the cost of maintenance. While at first glance a level road may be preferable, yet for permanency and endurance even a 1 per cent grade is better than a level; since superior drainage can be had which is so essential to the solidity and maintenance of the roadbed. Doubly important is this in a country where rainfall is excessive. The sun is also a valuable aid in road preservation. The good road maker will always seek the sunny side of the hill or forest. But the chief requisite is the grade, and to obtain this we can afford to sacrifice distance and incur extra cost. On all embankments we are advised as a first principle to make ditches so as to avoid washes. Bermuda grass, when planted on embankments is found a good protector in holding them in place. The roadbed when thoroughly rolled and with a proper crown is ready to receive a first layer of small crushed rock, with the next layer of rock smaller than the first; and with a final covering of screenings or fine crushed stone; and last, it should be rolled until firm and compact.

A serious error in most communities is said to be in using clay or loam as a bond, and in making the first or bed-rock layer of large stone or boulders instead of such as have passed the jaws of the crusher. A further advice is to shun the narrow-tired wagon, as it is the enemy to the good road. As to economy in construction, we are also advised that a portable 15-horsepower, a portable crusher, a road machine, a large plow, a harrow, and a steam roller, the latter of about 13 tons, with scrapers and a sprinkler, are necessary. For an ordinary county it is estimated that this outfit would cost about \$6,500. Wagons and teams are not included in this estimate. These are the suggestions offered by good road makers for first-class, good roads. When so constructed a 2-horse team can do the same work as that previously done by a 4-horse team. Evidence taken before the Industrial Commission tends to show that the issuance of long-time bonds has become very popular as a means to raise funds, and that prison labor is also resorted to in some of the States in the making of public roads, being utilized largely in preparing

the material and in such class of labor as would not ordinarily come in competition with manufacturers and laboring men.

Much as first-class, good roads are desired it is recognized that their construction must be slow because of the cost involved. But few localities, perhaps, and those nearer the large towns and cities, can at present undertake such work. It therefore behooves other communities to seek a less expensive, but yet a systematic improvement. The necessity for better roads still continues, and it is incumbent upon society to contrive the best plan practicable, according to the conditions which prevail.

The demonstration we witness here to-day is an impressive object lesson, and it, with others which have preceded it upon a smaller scale in some favored States in the South and West, indicates unmistakably that there is a quickening of the road conscience of the people, not only in many counties and States, but that it is also invoking a national interest. Education is coming to the rescue, advanced methods and improved implements and machinery are being adopted, engineering principles and thoughtful experiments upon new lines are being applied, steam and electricity multiply the motive power, and good roads—not merely roads—are coming, surely coming, to gladden the twentieth century.

NATIONAL AID.

It is claimed by many that the subject involves within it a project so vast that to be of uniform and efficient service throughout the various States a greater aid than that heretofore contributed by voluntary contributions, individual labor, or by road district and county or State taxes, is required. That the aid should not only be in material form but should embrace a concentration of effort as well as of idea. It is urged that this aid can best be accomplished through the cooperation of the General Government and that such assistance is indispensable, especially upon the principal routes of travel in the States and Territories. That a judicious system, carefully devised by eminent engineers and applied to the more important and necessary routes, as may be mutually agreed upon between the State and national authorities, should be adopted.

For years the Government has extended its generous attention to the improvement of the navigable waterways of the country in order that facilities for cheap transportation may be increased and improved, and it is further claimed that Congress unjustly discriminates in failing to provide for the landways of the country. This is the reasoning which later on may have consideration in the National Legislature. It may be said partly in reply that the General Government in later years has manifested a very generous disposition to our railways, and contributed some aid to wagon roads, by grants of public lands through Congressional legislation. To railroads 197,000,000 acres have been granted, while of wagon roads 3,273,816 acres have been granted directly and indirectly to various corporations and States. Here it may be said as to this generosity toward wagon-road grants that they were open to the serious objection that many of them in character and safeguard were grossly improvident, and were secured more for speculative purposes than for subserving the greatest possible good for the greatest possible number.

Even where in good faith attempts have been made to establish roadways, based on such beneficence of the Government, the construction has been operated upon a mistaken principle and upon incorrect and extravagant methods, and the instances are exceedingly rare where any one of such roadways has answered the real purpose for which it was intended, especially after the grantee had secured an approved title from the Government. If this national aid in the recent past was justified and politic, it is vastly more so now, since the country has expanded to such gigantic proportions, and with such close relations and intermingling between all the parts. Interstate commerce has grown immensely, and the domestic traffic among our people is enormous. The people and the Government are also nearer to each other. The generous policy of rural free delivery is the best evidence of this. The rural community is more than ever interested and anxious to be connected with the main highways and with the metropolis in the different counties in order to secure a free and regular delivery of the United States mails to their immediate homes. Never before has the General Government approached so close to the fireside of the agricultural classes.

Then, again, the introduction of the automobile, the locomobile, and the bicycle has already induced a travel between the States which bids soon to become of great magnitude, and this attracts a public interest as well as a favorable sentiment to the condition of the roadways even in remote localities. Heretofore it has been machinery on the railway and machinery on the waterway, but now it is machinery on the roadway. We have indeed entered upon a new era; an era which could not have been anticipated even twenty years ago. What was before a mere general interest will henceforth become the special interest of all classes and of the General Government itself. It is now being considered by many eminent statesmen whether a comprehensive system can possibly be devised having in view permanency, uniformity, durability, and, above all, intelligent design as to the nation's roadways. A project for improved navigation on the waterways is approved at the central office of the engineer department at Washington City, and hence it is asked why, from the same central point, a national and interstate road system for the whole country might not also be formulated and approved with State cooperation and why competent engineering and scientific superintendence could not equally and satisfactorily follow.

It must be conceded that the difficulty at present is in the lack of a uniform and approved road system between the States, as we find when we pass from the good and well-designed roads of one State upon the ill-constructed and wretched highways of another, and, worse still, where each county has an independent system of its own, for then we travel over as many different kinds of roads in a State as there are counties or road districts within it. Now, almost every road supervisor has a system of his own, while some have no system at all. This suggestion of national aid and national supervision of roadways as made by many good road advocates would not necessarily relieve the State or local authorities from road construction. There could still be recognized a distinction between the national and interstate roads selected and approved by the national authorities in cooperation with the State and local authorities, and those not so selected and improved might be left exclusively to the State and local authorities. In a brief time the system and superior method provided for the greater highways would invite general approval among the people and would be applied to the local roads constructed everywhere. The spirit of improvement set by the greater system would permeate and permeate the most remote communities. How far these views can be demonstrated to be practical time must tell. It must be admitted, however, that the subject is gradually becoming a national question. It was once local, but now it is general. All classes and all sections of our country have an interest in the roadways of widely distant parts.

There is much in the criticism of the good road's advocates as to existing conditions and much in their advocacy for national aid which should enlist the hearty sympathy of every good citizen. The careful and economic administration of national aid for national roadways exhibited by our forefathers one hundred years ago should have been a more valuable lesson to those who legislated seventy years later. Should the Government again be induced to return to its former participation in good-road construction the

most comprehensive system (practicable as well as uniform) should be adopted, and with such skillful directors as will be equal to the task and who will consecrate their best endeavors to the conscientious performance of the public trust. In the earlier days of the Indian wars—in the famous but ill-fated Braddock march from the Potomac to the Ohio—a Virginia roadmaker and surveyor, Colonel Washington, but later the founder of our nation, gave the colonies a lasting remembrance of the perilous disadvantages in time of war of bad roads and as an obstacle in time of peace in reaching our extended frontier.

THE FAMOUS NATIONAL PIKE.

The construction later of the famous national road or pike, almost a century ago, extending from certain navigable streams entering the Atlantic to the waters of the Ohio, traversing seven different States of the Union and covering 800 miles, is a model for good roads building of the present day. It followed the Braddock route long distances, and though costly in its construction, it was enduring and designed upon the best approved models. It affords an illustration not only of how good roads should be made and what good roads can accomplish in any community, but what they can do in the upbuilding of a nation. Before its completion from four to six weeks were required to transport goods from Baltimore to the Ohio River, and the freight varied from \$6 to \$20 per hundred, while after the completion the time, as well as the cost, was reduced to one-half from Baltimore to Wheeling, and comfortable stagecoaches carried mails and passengers between these points in forty-eight hours' time. This road was the first through national highway ever constructed by this Government, and it is significant in having had its initiation under the patronage of the immortal Thomas Jefferson and having been constructed to completion under the administrations of the three illustrious Virginians—Jefferson, Madison, and Monroe.

JEFFERSON, THE ROAD BUILDER.

It seems, therefore, to be eminently appropriate that this great demonstration should be held at this point, near the line of that famous highway and almost in sight of the homes of these great Presidents. Thomas Jefferson himself was born near this route. He appreciated the necessity for good roads, and further realized that to make a system uniform and complete for all the country it must have national aid and appropriate legislation. He lived to see it a success and saw conveyed upon its well-planned grades and over its smooth and hard surface hundreds of thousands of people and millions of wealth. He saw it break the barrier of the Appalachian Mountains and also become a bond of union between the East and West.

He saw it when as many as 204 horse coaches could have been counted in line at one time, and when large broad-wheeled wagons covered with white canvas and carrying often 10 tons of merchandise, drawn by 6 Conestoga horses of superb form and strength, were plainly seen at all hours of the day and at all points of the road, moving slowly, but surely, to the promised land of the West. It was indeed one vast and continuous caravan. He saw towns and villages spring up as if by magic, and substantial brick and stone taverns constructed at convenient points for the accommodation of the enormous traffic. He saw fulfilled to perfection the missions for which the road was designed. Twenty-five years after his time, the steam locomotive entered upon the scene and competed for the constantly increasing transportation. Parallel highways for the iron horse quickly followed, and the glory and utility of this well-remembered road largely ceased. One of the old residents along the route expressed his farewell in these lines:

"We hear no more of the clanging hoof
And the stagecoach rattling by;
For the steam king rules the troubled world,
And the old pike's left to die."

This was the American Applan way between the East and the West in the early years of our country's history. It was not built, like the Roman Way, to gratify the vanity of kings and princes, emperors and empires, but wholly to aid in the development and upbuilding of a great republic. The old Roman highway, however, early gave proof of what good roads' advocates claim to-day. It did a splendid part later on in adding to the material aggrandizement of the Empire which was foremost among the nations of the earth in its liberality and public spirit in the construction of good roads. Pantheon, the ancient classic author, informs us of the manifold benefits derived by localities along this famous route, and Horace and Virgil have testified their gratitude for many pleasures experienced in their travels over the Applan Way. It has come down to us as one of the monuments of the Roman people. It was so well built that it survived long after the country that built it had perished from the nations of the earth.

Of Jefferson's historic national road it may be said that while it has gone out of existence and is largely but a memory, yet the benefits which it achieved in its day in aid of the mighty growth and expansion of our beloved country have left an impress which will continue to the end of time.

FORMER CONGRESSIONAL LEGISLATION.

Virginia was the pioneer in urging and advocating a national system of good roads. The first official suggestion as to the old national pike was contained in a report made by Governor Giles, of Virginia, in 1802, and in the Congress of 1803 following a similar report was made by Mr. Randolph, of Virginia, and this was approved. The act of April 20, 1802, for the admission of Ohio, provided that one-twentieth part of the net proceeds of the public lands within that State sold by Congress should be applied to public roads leading from navigable waters emptying into the Atlantic Ocean to the State of Ohio and through that State, to be laid out by authority of Congress. In 1803 Congress appropriated 3 per cent of the 5 per cent of the sales of public lands for constructing roads within the State of Ohio, leaving the 2 per cent for roads leading to that State.

Similar acts were passed in 1816, on the admission of Indiana, and in 1818, on the admission of Illinois, and also in 1820, on the admission of Missouri.

On March 29, 1806, President Jefferson approved the act of Congress which formally authorized the construction of the great road. It was he who appointed the commissioners to lay out the road, and he who secured the consent of Pennsylvania, Maryland, and Virginia for its construction through those States. In their report to Mr. Jefferson, dated December 20, 1806, the commissioners say that—

"They can not withhold assurance of a firm belief that the purse of the nation can not be more seasonably opened or more happily applied than in promoting the speedy and effectual establishment of a great, easy road on the way contemplated."

And they expressed the opinion that—
"Nothing short of a firm, substantial, well-formed stone-cap road can remove the causes which lead to the measure of improvement."

THE ROAD TO THE PACIFIC.

This great enterprise seems to have been but an object lesson for Virginia and for Jefferson, as it led about the same time to that memorable exploitation for another road greater and to regions more remote than the world had

as yet dreamed—to the far-away waters of the Pacific Ocean—under the command of the two famous Virginia pathfinders, Capt. Meriwether Lewis and William Clark.

The centennial anniversary of this world-renowned expedition and of the memorable winter camp of the Virginia explorers near the great Columbia River, in what is now the State of Oregon, will be celebrated in 1905 at Portland, the flourishing metropolis of that, my home State, with a splendor and a liberality that will be worthy of the event which it commemorates. In what was once known as the Oregon country there are now three great States of the Republic and portions of two others.

In that fair land you will now behold more than a million of prosperous and contented American citizens producing and exporting to all quarters of the earth by sea and by land vast quantities of wheat, flour, salmon, lumber, hops, fruits, and live stock, and receiving in return the multiplied products of other lands. Thus Virginia and the far-away Pacific Northwest, bound together by an association, made memorable by the sons of the Old Dominion, can meet in reciprocal union on that joyous occasion.

As if these glorious epochs were not enough for one State, there was still held in reserve another renown which should eclipse all the rest. A prophetic vision of the immortal Jefferson beheld beyond the Mississippi a vast empire, reaching in seemingly endless expanse to the lofty summit of the Rocky Mountains, and all under the sovereign power of another nation. With his penetrating judgment he realized the value of this domain to the permanent peace and safety, the prosperity, and the happiness of the nation.

With the public sentiment and with a Congress in cordial sympathy with his views, his purpose, and his efforts, he succeeded in acquiring from France this expansive area, which now contains, in whole or in part, thirteen States and Territories of this our unrivaled nation, and being seven times the area of Great Britain and Ireland, more than four times that of Germany, and exceeding the combined area of Great Britain, Germany, France, Spain, Portugal, and Italy. The story is a long one, but as splendid as it is long, and the historic page contains no achievement in the art of diplomacy or in the course of honorable peace more resplendent and more far reaching in its results or more potent in the welfare of millions of mankind than in the purchase of the Louisiana province, soon to be commemorated by the St. Louis Exposition Association in a manner worthy of the nation and worthy of that proud event; and when there shall assemble in that city in the coming year the legions of grateful and patriotic Americans and the multitudes who will gather there from the utmost limits of the earth the proudest plaudits from heart and tongue will be those to the memory of the sage of Monticello.

ILLUSTRIOUS VIRGINIA ROADMAKERS.

In the fullness of our obligations to old Virginia for its gallant men and the priceless heritage they have left us, we must still remember that near this noted place another leader of those times was born, that heroic representative of the pioneer, the explorer, and the self-sacrificing patriot, Gen. John Rogers Clarke, he to whose daring and timely deeds, more than to any other one, we owe our possession of Ohio, Indiana, Illinois, Wisconsin, and a portion of Michigan.

From a certain mountain summit in this region we can view the birth-places of three of these Virginians who were instrumental in acquiring to the United States more than one-half of its present enormous domain, and almost in sight are the hills upon the Potomac where rests the illustrious Pater Patria, the one who laid the enduring foundation for all.

As I seem to behold before me the shadowy forms of these immortals there likewise appears to view in the majestic procession yet another, the stately presence of that renowned jurist, Chief Justice Marshall, whose home was also in this vicinity. We delight to dwell upon this glorious roll of honor—Washington, Jefferson, Madison, Monroe, Lewis and Clark, John Rodgers Clarke, and the peerless and classic Marshall, whose habitations and associations were all within a radius of not many miles from this spot. How revered are such memories to every true American! Let me voice the wish that this road, which henceforth is to mark a magnificent way to the hallowed precincts of Monticello, will ere long be extended to the near-by localities which were the homes also of Presidents Madison and Monroe; and still further, to the remaining places, not far away, where the restive spirits of the intrepid Lewis and Clark impatiently awaited the call of Jefferson to depart upon their perilous journey across the trackless wilds:

" * * * where rolls the Oregon
And hears no sound save his own dashings."

Many of our fellow-citizens are prompted to make annual pilgrimages to foreign lands, there to pay their homage to the kingly graves within Westminster Abbey, to gaze upon the Pyramids, to revel upon the bright waters of Lucerne and Geneva, or to climb the mountain summits of the Alps, forgetting that in this our own land there are natural wonders and scenic grandeur, both in mountain and lake, unsurpassed by any other portions of the earth; and there are also sacred memories which attach to the tombs of American sovereigns—the heroic defenders of liberty—and whose names are imperishably inscribed upon the temple of fame. We have a Mount Vernon, a Monticello, a Hermitage, and a Springfield, and other hallowed places, which to every American heart should be dearly cherished and more zealously sought for than the tombs and pyramids of the emperors and kings of the Old World.

Let this fond hope be realized that the meditative pilgrim may approach these shrines from afar and afar to testify in devout adoration to the blessed memories so precious to our countrymen, and while doing so that he may be inspired with somewhat of the exalted spirit which animated these patriot forefathers, pioneers, roadmakers, and American empire builders.

Where are they now? Of this glorious constellation not one remains to shed upon us their mellow luster. They have all set—

" * * * Not obscurely bright,
But one unclouded blaze of living light."

Mr. WILLIAMS of Mississippi. I now yield fifteen minutes to my colleague [Mr. SPIGHT].

Mr. SPIGHT. Mr. Chairman, I do not desire to talk about the bill now pending, because I believe that it needs no argument to commend it to the American Congress; but I want to talk about a subject that ought to be of interest and of pride to every member upon this floor.

During the four years that I have held a seat in this House I have had pending from time to time before the Committee on Pensions a bill to increase the pensions of the Mexican war veterans from eight to twelve dollars a month without regard to their financial and physical ability to earn a support.

There is such a bill now pending before the committee of this

House. On the 14th of February of this year the Senate passed a bill of similar import, which has been sleeping in the House committee for more than two months. I am not here to criticize the action of that committee, but simply to call their attention and the attention of the House to some facts in that connection.

It is known to everyone that the few who are left of those old soldiers can not now be less than 70 years of age, most of them perhaps 75 or more. It has been about fifty-five years since the end of the Mexican war. Fifty-five and fifteen make seventy, and putting the soldiers at only 15 years of age—mere boys—they would now be 70 or past 70 years of age.

Unfortunately, most of these soldiers are poor men, and under the present law there is no chance to pay them more than \$8 a month unless they can take the paupers' oath. In other words, they must both swear and prove that by reason of their poverty and their physical disabilities they are not able to live on \$8 a month. Many of them are too proud to take that oath and to make that proof by their neighbors, and I say it is but a matter of justice to these old men that the increase should be made from \$8 to \$12 a month.

Let us look at some of the facts that I have taken some pains to gather from the official records and see how this would affect the public Treasury.

The last report of the Commissioner of Pensions says that on the 30th of June, 1901, there were only 7,568 survivors of the Mexican war. This number has been decreasing at the rate of from seven to nine hundred a year since 1888. There are now, or was at the time of the closing of this report, 3,889 who are receiving only \$8 per month. At the rate of decrease during the last ten years, and especially taking the last year, when nearly 800 dropped out, there would be a little more than 3,000, or possibly 3,500, of those who are receiving \$8, and for whom we are asking \$4 more. Putting it at 3,500, an increase of \$4 a month would make \$14,000 a month, or for the whole number there would be \$168,000 for the first year. The highest amount ever spent for pensions to the Mexican war veterans was in 1888, when there was paid \$1,861,756.07. The last year, coming down to the last of June, 1901, the total for this class of old soldiers was only \$921,032.18.

Now this decrease in appropriations for the survivors of the Mexican war has been at the rate of from \$60,000 or \$65,000 to \$100,000 a year. So I say that \$160,000 or \$170,000 would be the maximum expenditure on account of this increase from \$8 to \$12 a month for the first year and would rapidly decrease annually thereafter. And can not we afford, out of the abundance of our means, to do this tardy justice to those old men? I believe that if the bill could ever be reported to the House that this House would pass the Senate bill without hesitation. I said awhile ago I did not intend to criticize the committee, but I call attention to these facts that the members of this House may bring to bear such influences as they may control upon the Committee on Pensions to induce them to take some action and report this bill. These old soldiers are scattered all over the country. They are in every State of the Union.

I find in the Commissioner's report that the largest agency, or the agency where the largest number are paid, is the Knoxville agency, and the number paid there during the last fiscal year was 2,107. The next largest agency is San Francisco, where there were paid 1,257. The next largest is at Topeka, where there were 1,031. I mention this to show how they are scattered all over the country, and that in granting this relief we give it to no particular State, but to survivors in all States of the Union.

Now, Mr. Chairman, by the valor of these grand old men there was added to our domain a vast territory, rounding out the symmetry of our great Republic and uniting the Atlantic and the Pacific oceans, with nothing intervening except American soil, American homes, American manhood and womanhood, and over all floating the American flag.

These old men can not last much longer. They are the remnants of the grand army who wrote bright pages in the martial history of the world and carried our flag to victory at Buena Vista, Vera Cruz, Chapultepec, and Mexico and won for us this territory, of which we have been so proud during all these years. Let us do justice to these old men. In a few years more the Mexican-war soldier will be known only in history and in the hearts of his countrymen. Let us smooth their rugged way along the balance of the journey of their short lives and bid them a last farewell with the assurance that even republics are not always ungrateful.

I hope that influences will be brought to bear that will induce this committee to report this bill and that this tardy justice will be done to these old soldiers. [Loud applause.]

Mr. WILLIAMS of Mississippi. Mr. Chairman, how much time has the minority remaining?

The CHAIRMAN. Eleven minutes.

Mr. WILLIAMS of Mississippi. I now yield to the gentleman from North Carolina.

Mr. KLUTTZ. Mr. Chairman, one of the greatest crying needs of this great country is good roads. No argument can be needed to establish this proposition because it is self-evident. We may legislate to benefit our cities and towns by erecting great public buildings; we may legislate to bring them traffic and commerce by voting great appropriations for river and harbor improvements, but if we stop short of building good roads to them we fail in that which would be of greatest benefit. [Applause.]

No only so, but we fail in our duty to the great rural population of the country as well.

"An honest peasantry is the country's pride;" an intelligent, prosperous, contented, rural population is the country's hope. It is vain to build great cities and network them with railroads, and canals, and to improve their rivers and harbors unless we can give them the backing of a great tributary, rural, agricultural population. A nation of cities would be an anomaly, an impossibility, a failure. As well think of fountains without contributing streams, of mills without motive power. How shall the problem of relieving the congestion of the cities be solved?

How shall the question of making farm life more pleasant and attractive, of keeping the farmer on his farm, and his bright boy with him, be answered? How shall the isolation of the farmer's wife be relieved and her yearnings for social intercourse with neighbors be gratified? How shall it be made possible for the products of the farm, the forest, the mill, the mine, to reach markets where railroads, rivers, and canals are not available?

How shall every acre of arable land in this country be trebled in value and the national wealth correspondingly increased? The answer to each and every of these potent questions is the same—good roads and better postal facilities. [Applause.] No man can doubt or gainsay it. With the establishment and rapid extension of rural free delivery one of these great problems is in course of solution, but even this can not be fully successful, can not complete its beneficent work, without the other—without good roads over which to carry the mails to the very doors of the farmers.

Especially is this so in sparsely settled mountainous sections of the country. No better, braver, or more loyal and deserving people live, but their very sparseness and poverty render the building of good roads by them, either by labor or taxation, impossible. And the same is largely true of the South, as a whole. We have a magnificent country, with every variety of soil, climate, and production. We have a population intelligent, enterprising, patriotic, hospitable, and self-reliant.

We are trying to do our duty by ourselves, our country, and our posterity. That we guard the graves and the memories of our ancestral dead, the purity of our race, the sanctity of our firesides, the virtue of our womanhood, and the sacredness of our institutions with jealous care, should be counted to our credit. These things we have done and will do, whatever may betide, God helping us in the same.

Mr. Chairman, I have recently seen the statement, from an apparently reliable source, that statistics show that the material wealth of the Southern States in 1900 was, approximately, just what it was in 1860. Can I make it plain what this portentous fact means? I was but a boy, sir, when hostilities began in 1860. I know, sir, what the happy, smiling, prosperous South was then. I know, too, all the horrors of that four years of devastation and blood. I know the sorrow and death and poverty that came to almost every Southern home.

God forbid, sir, that the hand of brother should ever again be raised against brother, that of section against section. May this great, reunited country never again suffer the horrors of internecine war!

I saw the old veterans of Lee and Jackson return to desolated homes and fields, to begin again the work of life. I saw the sincere efforts of my people to adapt themselves to new environments. They could not, they would not, forget the past, yet they turned uncomplainingly and hopefully toward the seemingly hopeless future.

Then I saw the inauguration of reconstruction and the advent of the carpetbagger. Would God I could forget those days. I shall not dwell upon them. No brave, loyal, proud people were ever subjected to such a carnival of loot and humiliation. Plundered, outraged, loaded with debts for improvements which were never inaugurated, for railroads which were never built, taxed beyond endurance, standing guard at night over our women and our weal, deprived of the right of suffrage, while it was conferred on our recent slaves—oh, sir, the cup of the South was full and running over.

Yet, Mr. Chairman, like a giant refreshed with new wine, like the Phoenix from her ashes, the South has arisen. The purest Anglo-Saxon blood in the world could not be kept down. Catching the

quickstep of the great march of progress, she has done wonderful things, which are but the presage of the more glorious things of the future.

And yet, with a record which is marvelous in men's eyes, with all the millions of looms and spindles which she has set whirling, with all the marvelous developments in city, town, and country, with all the throbbing energy which she has put forth, with all the improvements in railroads, in rivers, and canals, in mill and mine and field, this great South has but just recouped her losses, has but now attained her position of forty years ago.

With forty years lost, let me ask you gentlemen of more favored sections, is it any wonder that we have not kept up, that we are not now up, with you in the matter of education, of roads, of material advancement?

We have lost forty long years by the results of a war which enriched you.

We have not educated our people as well as you, because we have not been able to do so, and because one race in its poverty has been burdened with the education of two.

Nor, for the same reasons, have we been able to build roads as you have done. The teeming, throbbing life about us now demands, and demands imperatively, that good roads be built from our farms to our thriving towns. The antiquated system of keeping up the roads by a few days' holiday labor in each year by those living along them will no longer answer. The road problem is upon us. The town which would continue to thrive must have good roads leading to it; the farming community which would thrive must have good roads leading to nearby markets. The spokes of the wheel must converge to the hub.

We have done, we are doing, all that we can in this direction. We are taxing ourselves to the last limit, and yet we are doing and can do but little in comparison with what is urgently needed to be done. Our people are aroused to the necessity for good roads, but a calculation of the necessary cost is sufficient to unnerve them.

The General Government, under the direction of our present admirable and progressive Secretary of Agriculture, has done and is doing much, through the Bureau of Public-Road Inquiries, to intelligently arouse and direct public attention upon this great question. I believe, however, that the time is ripe for greater things. I believe that the General Government should go farther, and, either by direct appropriation to, or cooperation with the States of the Union, inaugurate and push forward a great system of road building throughout the country.

I shall cheerfully support the Beidler bill for the appointment of a commission to investigate and report upon this whole subject, but I should prefer to support the Otey bill or some similar perfected measure, which would mean something, appropriate something, and do something without delay.

The constitutional argument troubles me little. The Constitution is all right for rivers, creeks, harbors, canals, and public buildings, but all wrong, say gentlemen, for public roads.

In round numbers, as I am informed, about \$500,000,000 have been expended by this country for the improvement of rivers and harbors, and at this session the Congress will in all probability appropriate something like seventy millions more for the same purpose. That much of this good money has been and will be wasted, so far as permanent improvement is concerned, goes without saying.

Insignificant creeks and rivers in unknown and uncommercial localities share, perhaps more than equally, with great and meritorious rivers and harbors. Under the present system it perhaps must needs be so, for the "pork" must be so distributed as to secure the passage of the bill, and States which are not represented on the great Committee on Rivers and Harbors, or which by failure of reciprocal representation on other great committees of the House have nothing to trade, fare but poorly in the distribution. My own good State of North Carolina is thus a sufferer.

My purpose now, however, is not to complain of the amounts appropriated for rivers and harbors. An enlightened public policy demands and sanctions such appropriations and the abuses are the fault of our legislative system.

Time was when such appropriations were denounced, fulminated against, and vetoed. The strict letter of the Constitution was invoked by Madison, Monroe, Jackson, Polk, and Pierce in sounding rhetoric against such a supposedly unwarranted use of the Federal funds.

The question of the express, implied, and incidental powers of the General Government and of the reserved rights of the States will be found learnedly discussed in the veto messages of all these venerated Presidents, and always resolved against the rightfulness of appropriations for internal improvements—rivers, harbors, canals, and public highways being always joined in the same con-

demnation. The very first of these, the veto message of President Monroe, dated March 3, 1817, says:

Having considered the bill this day presented to me, entitled "An act to set apart and pledge certain funds for internal improvements," and which sets apart and pledges certain funds for "constructing roads and canals, and improving the navigation of water courses, in order to facilitate, promote, and give security to internal commerce, and to render more easy and less expensive the means and provisions for the common defense," I am constrained by the insuperable difficulty I feel in reconciling the bill with the Constitution of the United States to return it with that objection to the House in which it originated.

No distinction appears here, and the veto applies equally to rivers and harbors, to roads and canals. It is worthy of note, too, that this veto message was sustained only by a vote of 56 against 60 in this early Congress of the fathers of the Republic.

Next comes the message of President Monroe vetoing the act for the preservation and repair of the Cumberland road, dated May 4, 1822, accompanied by a lengthy and learned paper of many pages, the conclusion of the whole being that Congress has no constitutional power to make appropriations for any internal improvements.

Here, again, it is noticeable that this veto was also sustained only by a vote of 72 against 68. Following next comes the message of President Jackson, dated May 27, 1830, vetoing the Maysville turnpike bill, which equally reprobates appropriations for roads and canals, and which was sustained by the narrow margin of 96 to 92. Again, on December 6, 1832, President Jackson gives at length his reasons for withholding his signature from "An act for the improvement of certain harbors and the navigation of certain rivers," affirming his veto message of the Maysville road bill.

President Tyler, on June 11, 1844, vetoed an act making appropriations for the improvement of certain rivers and harbors, giving substantially the same constitutional objections as given by his predecessors, and there were 104 votes against to only 84 for sustaining the veto.

President Polk, on August 3, 1846, vetoed a river and harbor bill, giving as reasons therefor the same constitutional objections to such legislation, and his veto was only sustained by a minority vote of 91 against 97.

Again, on December 15, 1847, Mr. Polk, in an elaborate message, vetoed a bill for certain internal improvements in Wisconsin, which was presented to Congress too late for reversal.

President Pierce, on August 4, 1854, vetoed a bill for the repair, preservation, etc., of certain public parks, and was only sustained by a minority vote, 80 against 95.

Then follow thick and fast similar veto messages from Mr. Pierce. May 19, 1856, he vetoed a bill to remove obstructions to navigation in the mouth of the Mississippi; May 19, 1856, he vetoed the bill for deepening the channel over the St. Clair flats, in the State of Michigan; May 22, 1856, he vetoed a bill for deepening the channel over St. Marys flats, in the same State; on August 11, 1856, one for the improvement of the Des Moines Rapids, and on August 14, 1856, one for improving the Patapsco River at Baltimore, all of which bills were passed over his veto.

President Buchanan, on February 1, 1860, gave his reasons for withholding his signature from the St. Clair flats bill, and on February 6, 1860, for refusing to sign the bill for removing obstructions from the mouth of the Mississippi. Both these bills had passed the preceding session of Congress, so his veto messages were too late for action and were simply ordered printed and laid on the table.

President Arthur vetoed a river and harbor bill August 1, 1882, and it was promptly passed over his veto. Since that time the constitutional argument seems to have been settled in favor of rivers and harbors, but by a sort of acquiescence, against public roads and highways, though the argument and condemnation of all the veto messages was equally against both.

A study of these veto messages and the legislation which evoked them shows conclusively that while the Presidential conscience has been opposed to appropriations for internal improvements, the legislative conscience has always been in favor of them. This policy, then, being settled now by executive, legislative, and judicial authority in favor of river and harbor improvement, what reason remains for objection to Federal appropriations for highways and post-roads? What constitutional objection can be urged against them which does not lie equally against the other? The need is certainly at least as great, and the time for action, it seems to me, has come.

If it is constitutional to make appropriations for the improvement of rivers and harbors, it is equally constitutional to do so for post roads and public highways, for these are equally highways of commerce. Public roads are the great arteries of commerce which reach out into the country, gathering up and bringing to the rivers, the canals, the harbors of the cities, as well as to the railroads, the very primary elements and constituents of commerce.

I said, Mr. Chairman, that the constitutional argument does not trouble me. Surely the Constitution is a wonderful instrument. I have the very profoundest respect for it as the most masterly production to be found in political history. It is somewhat remarkable, however, sir, that its provisions can be, and are invoked, for or against any particular legislation, as interest or prejudice may dictate.

However, sir, even if gentlemen consider the constitutional objection to appropriations for public highways insuperable, what can be their objection to a division of the groaning surplus to the States for this purpose? Surely this is constitutional and democratic. The surplus was distributed among the States under Jackson, and all that would need to be added to this precedent would be the limitation that each State's dividend should be expended solely for public roads.

I am wedded to no particular plan. I do not want the General Government itself to go into the business of road building, except for educational and object-lesson purposes. I want none of the rights or duties of the several States invaded. I believe, however, that the General Government constitutionally can, and that it ought to, aid and supplement the work of the people of all the States in this important matter.

I believe that every dollar so expended would be returned tenfold in the enhancement of farm values, in the better and more economical distribution of the mails, in preventing the hegira of our rural population to the already congested cities and towns, in encouraging a reverse flow from city and town to the pure air, fertile fields, and moral surroundings of the farm, and in the increased happiness, loyalty, and gratitude of all the people. [Applause.]

Mr. WILLIAMS of Mississippi. Mr. Chairman, I listened with very much pleasure to the denunciation by the gentleman from Pennsylvania [Mr. SIBLEY] of a brute in uniform in the Philippine Islands. I am a little bit afraid that the gentleman from Pennsylvania is not striking at the evil in the right quarter. It is the system that must be struck at, and not the man who instinctively and unconsciously carries to a logical result the principles of the system itself. Wherever a strong, white, civilized people undertakes a war of conquest against a weak and colored people, in the estimation of the conquerors far their inferiors and almost upon the level of savages, deeds of brutality and savagery are as necessary as the sum of 5 is a consequence of taking 2 and 1 and yet another 2.

Mr. Chairman, just as long as we pursue that policy the chief danger from it is not the butchery of the weak race, bad as that is, but the temptation to tyranny that reacts upon the strong race. It is the brutalizing effect upon our soldiery, our own people, that must follow from waging savage warfare with partially savage people. And for that very reason war by great, strong, civilized, white nations against weak, impotent, uncivilized, half savage, colored peoples ought to be avoided wherever possible. Wherever you have such a system there will exist a Smith, under that name or some other, to issue brutal orders and to perpetrate crime, and there will exist a Funston, under that name or some other, to justify it. Avoid the real evil—wars of conquest against alien and inferior peoples weaker than you. The gentleman from Pennsylvania was right when he said there can be no justification for a civilized man with a heart and conscience for an order to lay waste an entire country and "make it a howling wilderness," and to "kill everybody, including children 10 years of age and over." I am afraid that in a war of that character, where the very worst passions of humanity are necessarily excited, where people do not treat one another with that courtesy and chivalry that two civilized nations treat one another, such orders and crimes and brutes are a necessary consequence.

Mr. Chairman, I want to say a few words about this bill, because I want the House to understand some things about the bill before we proceed to consider it. We have brought you in an appropriation bill for the Department of Agriculture containing the largest increase ever made on any agricultural appropriation bill:

For 1897-98 the appropriation was \$3,182,902.
For 1898-99 it was \$3,509,202, an increase of \$326,300.
For 1899-1900 it was \$3,723,022, an increase of \$213,820.
For 1900-1901 it was \$4,023,500, an increase of \$297,478.
For 1901-2 it was \$4,532,420, an increase of \$508,920.
This bill carries \$5,158,570, an increase of \$576,150.

Now, Mr. Chairman, some of this increase in some departments has been very remarkable. I am glad to say that Congress and the committee and the country are waking up to the necessity of increasing the appropriations for the Agricultural Department by leaps and bounds every year. We have increased the bill this year \$576,000, as I stated a moment ago.

Let us take one of the departments, the Department of Soils. It began a few years ago, an obscure subdivision in a division. It has grown now to be a great bureau. It began with an appropriation of \$15,500 in 1895 and 1896, and it increased in 1901 to

\$26,300; then it went up to \$109,140, and we have increased it this year to \$168,900, which is an increase of 59 per cent.

The following table shows the appropriations for this Bureau since 1895:

| Year. | Appropriation. |
|-------------------------|----------------|
| 1895-96 | \$15,500 |
| 1896-97 | 15,300 |
| 1897-98 | 16,300 |
| 1898-99 | 16,300 |
| 1900-1901 | 26,300 |
| 1901-2 | 31,300 |
| 1902-3 | 109,140 |
| Appropriation this bill | 168,900 |

I want this House to know that this committee, while it is not an extravagant committee, and while it does not believe that the entire Government consists in carrying on the Agricultural Department, it does believe that that Department should be kept equipped and armed, so as to be well in advance of the needs and demands of the country upon the Department. Now, Mr. Chairman, such time as I have I surrender back to the Chair. [Applause.]

Mr. WADSWORTH. Mr. Chairman, I now yield ten minutes to the gentleman from Kentucky [Mr. BOREING].

Mr. BOREING. Mr. Chairman, my attention has just been called to a speech made by my colleague, Mr. GILBERT, the other day when I was absent—a speech ostensibly to defend Kentucky and the Kentuckians—but he took occasion to reflect upon eastern Kentucky and upon the Republican party.

I always like to stand with my colleagues in the defense of my people. As between the Americans and other people I am for the Americans. As between the Kentuckians and other people I am for Kentuckians, and as between the Eleventh district and other districts I am for the Eleventh district.

Now, Mr. Chairman, I regret that there is a disposition manifested by some of our Democratic politicians to create a prejudice of one section of Kentucky against another. I want to say for myself and my constituents, although nature has placed us upon a plane higher than that upon which my colleague and his constituents move, we have always treated them with the same courtesy and the same consideration as though they moved upon the same high plane upon which we move. [Laughter.] We live upon the mountains, where we have pure air, pure scenes, and pure politics. [Laughter.] Why, any negro in the Eleventh district can vote the Democratic ticket and have his vote counted the way it is cast, and when we elect a Democratic governor, we let him serve.

The gentleman says that Kentucky was the first State in the Union to tax all the property for the education of all the children of Kentucky. That may be true, but how did it come about? First, a Democratic legislature passed an act submitting a vote to the people of Kentucky, after the close of the civil war, to increase the school tax 20 cents upon each \$100 worth of property for the education of the white children alone. But the Federal court decided that this was a discrimination on account of race, color, and previous condition, and that it was in conflict with the Constitution of the United States, or the amendment thereto, and they were compelled then to put an additional tax for the benefit of the colored people. This is a fact, and while the colored children get as much as the white children, they are taught in separate schools in Kentucky, and it is eminently satisfactory to both the white and the colored people of Kentucky, for the colored seek culture and not new social relations.

Why, Mr. Chairman, we have but one school in Kentucky where the white and black are taught together, and that is in the gentleman's own district, Berea College, endowed by money contributed largely by Northern States—I believe the State of Massachusetts and perhaps New York and Ohio—an institution located in Madison County, in the gentleman's district. I do not know why it was located there, whether they invited it or whether it was placed there on account of the amount of illiteracy in that district; but it is there.

What I want to call attention to more particularly, however, is what the gentleman says in regard to the Republicans from the mountains. I read from his speech:

Let me remind the gentleman that politics became the damndest in Kentucky only when a lot of Republicans came from the mountains to Frankfort, armed with pistols and Winchester rifles, loaded up with mean whisky, and in utter defiance of the law forcibly drove the legislature from the capitol, chased the members from place to place at the point of the bayonet, and wound up their drunken orgy by a cowardly assassination of the governor of the State.

Now, Mr. Chairman, this statement is either true or false. I denounce it as false. There may be one truth in it. He says in regard to the whisky that it was "mean." I do not doubt that

it was mean Democratic whisky—one of the chief products of the gentleman's district—whisky made by Democratic distilleries and protected by a Democratic "trust." I grant that it was "mean."

But were the men who chased that legislature mountain Republicans? I deny it. They were the State militia—not Republicans from the Eleventh district. They were not commanded by a mountain man. They were commanded—by whom? By General Collier, of Garrard County, Ky.—a county in the very heart of the gentleman's own district.

Why was that legislature "chased?" I do not like to speak disrespectfully of the legislature of my own State. An Arkansas man once said that a drove of mules passed through Frankfort and jumped into the statehouse yard, and they could not separate them from the members of the legislature. But you know Colonel Rice, in response, said that a drove of mules got mixed with the legislature of Arkansas and they turned out the legislature and kept the mules. I do not vouch for any of these statements, but let me tell you that was the occasion of a memorable contest between Goebel and Taylor which will forever disgrace the record of Kentucky. What had that legislature done? It was composed of 38 senators and 100 members of the lower house.

Mr. Goebel was himself a member of the senate; he could not act. There was absent 1 other Goebel senator. That left 36, of whom there were 18 Republicans and Democrats who were anti-Goebel. That left 18 members who were regarded as Goebel senators. They drew a committee to try this contest, and they drew 3 straight Goebel senators. They drew from the house a committee of 8 to act in conjunction with these senators to try that case. There were 42 Republican members of the lower house and 8 Democrats who were unfriendly to Goebel. That left about an equal division. But what was the result? They drew 7 straight Goebel Democrats and 1 Republican, the youngest member in that house, who sits by me here to-day.

In the light of this discrimination and unfairness the mountain Republicans naturally believed that they were going to be robbed. They did go to Frankfort, and on the steps of the capitol they were presided over by an ex-Confederate soldier from Lexington, Ky. They entered a solemn protest against such high-handed proceedings. They were not heard, and they returned to their homes. They were not in the city at the time the legislature was "chased," but I am here to defend General Collier, if he needs any defense. He is a man of character, a man of intelligence, a man of courage, a gallant soldier of the civil war. He chased the Confederates in that war, and he was adjutant-general of the State under Governor Bradley. He needs no defense.

But I must hasten on. The gentleman on the other side says, further:

There is no State in the Union with a better and cleaner record than Kentucky. We have scarcely any criminal classes at all, outside of the negro population and a few lawless counties in the mountains, "hopelessly dominated by the Republican party."

Is that true? Is it true that the spirit of lawlessness has existed or now exists in the mountain counties alone, "dominated by the Republican party?" I deny it. I do not like to point out any of the shortcomings of any of the people of Kentucky, and what I say now I say in defense of my own people.

When I was a boy I read of the feuds between the Hills and the Evanses in the heart of the gentleman's district. At the close of the war this district was the scene of the Kukulux operations. Read the history of Kentucky of that period. It was then called the "dark and bloody ground" on account of these transactions. Not only so: when you talk about lawlessness in Kentucky, I invite the gentleman's attention to the tollgate raiders of recent date in central Kentucky.

I read now, Mr. Chairman, a note handed me by a person from his district, calling attention to the fact that within one mile and a quarter of Shelbyville, the gentleman's own home, one tollgate was blown up three times, and there was carried on a spirit of lawlessness in central Kentucky, and especially in the Eighth district, until they battered down the tollgates in that district. Why, Mr. Chairman, I can tell when I get out of the Eleventh and into the Eighth district now by the tollgates. They stand in the Eleventh district and they are gone in the Eighth. The counties have been forced in some instance to buy out the pikes and to throw the gates open.

I am not here to say whether the laws in these counties are oppressive, or whether the charters granted to turnpike corporations by the Democratic legislatures are unfair or oppressive, or whether the gentleman's constituency is irrepressible. Be that as it may, the spirit of overriding the law is present in his district more than it is in mine. These are recent occurrences. Yes; and I have another item here which I will read, that in the year 1899 two negroes were lynched from his own county seat at a time when a Methodist conference was going on in that town. Are they not, I ask, in nice shape to come here and talk about lawlessness in the moun-

tains, where they are domineered by Republican administrations? I regret that we ever had feuds in Kentucky.

I believe there is no living feud there now, but if you believe for a moment that the Republican party is responsible for the feuds in our State read the history of Rowan County, a Democratic county, and learn of the feuds which took place there, and read the history of the feuds in the Democratic county of Breathitt. They have come along after the Kukulux days. Of course, I might refer to the Courier-Journal, which published Grove Kennedy as the most celebrated outlaw in Kentucky, and he was a resident of the Eight district of Kentucky.

Now, my fellow-citizens, I am proud that I represent the mountains. The gentleman paid us one high compliment inadvertently when he placed Chief Justice Miller next to John Marshall upon the Supreme Bench. Perhaps he did not know that Justice Miller was a native of Knox County, in the Eleventh district. Perhaps he did not know that he commenced his brilliant career just where Caleb Powers commenced his—born, like Caleb Powers, in the mountains, an intelligent, courageous, and promising young man as was Caleb Powers, who was fortunate in not having to go up against the Goebel election law. Justice Miller, when he practiced in Knox County, and when he held other honorable positions, was not deprived of the honor that the people conferred upon him by the operation of the Goebel election law as was Caleb Powers.

Caleb Powers was elected secretary of state, and received his commission and entered upon the duties of his office. That office was taken from him under the operations of the Goebel law. A serious charge was made against him, charging him with complicity in the Goebel murder. He was arrested and abused, hit in the face by the guards, put in jail at Lexington, and then without any warrant of law at midnight he was taken out and spirited over the country to Frankfort in a private conveyance, not knowing what was to happen to him.

Mr. WHEELER. Will the gentleman permit me to ask him a question?

Mr. BOREING. Yes.

Mr. WHEELER. Will he not be fair enough to the committee to state that when Caleb Powers was struck, as the gentleman has detailed, he was disguised and fleeing from the accusation of murder and resisted arrest? Is not that the fact?

Mr. BOREING. I do not know whether it is true or not.

Mr. WHEELER. Well, it is true.

Mr. BOREING. But I do know that under the laws of Kentucky the guards had no right to strike him.

Mr. WHEELER. When he was resisting arrest?

Mr. BOREING. He was not resisting arrest.

Mr. WHEELER. If the gentleman does not know anything about the incident, how does he know he was not resisting arrest?

Mr. BOREING. How does the gentleman know he was?

Mr. WHEELER. I have the sworn statement of officers, which was given in a court of justice.

Mr. BOREING. Yes; and I will ask the gentleman if the officers were not proceeded against for the taking away of Caleb Powers without warrant of law?

Mr. WHEELER. No, sir; the officers were acting under the instructions from the police and sheriff of Franklin County.

Mr. BOREING. How did it happen, then, that warrants were sworn out against the parties who took him from the jail in Lexington? Police and sheriff at Frankfort had no jurisdiction.

Mr. WHEELER. Caleb Powers had disguised himself as a militiaman, shaved off his beard, put on a wig, slipped on a train, and was trying to escape to the mountains of Kentucky, when he was apprehended. He resisted arrest and was arrested.

Mr. BOREING. If the gentleman knew as much about the matter as he ought to know before he puts in, he would know that Caleb Powers never wore a beard in his life. He was a beardless boy; he was not disguised.

Mr. WHEELER. I understood the gentleman to say that he did not know anything about the incident.

Mr. BOREING. I am not responsible for the gentleman's understanding. I may give the gentleman information, but God Almighty alone can give him understanding. [Laughter.]

Mr. WHEELER. I am thoroughly aware of that fact, and that there are some men who have neither information nor understanding; but I took the gentleman at his word when he stated that he did not know anything about what the conditions were when he was struck.

Mr. BOREING. I know only what the gentleman knows, and know what I have heard and what I read. I was not present.

Mr. WHEELER. Nor was I.

Mr. BOREING. I will ask the gentleman a question, and I will ask the gentleman from the Eighth district a question. Do you gentlemen indorse the act of the courts or officials that put Caleb Powers in a cell with the negroes at Frankfort?

Mr. WHEELER. No, sir; if that were true, I would not indorse it.

Mr. BOREING. Well, is it true?

Mr. WHEELER. My information is that it is not true.

Mr. BOREING. Your information?

Mr. WHEELER. He is sufficiently infamous, in my judgment, to go into a cell with the worst element of mankind, but I should not have put him in a cell with anybody. I should have kept him in a cell by himself if the matter had been left to me.

Mr. BOREING. My information is to the contrary, and I think I am rightly informed. Now, if it is true that the men who chased the legislature killed Goebel, why did not the gentlemen go before the grand jury and indict them and not stand upon the floor of this House and make representations to deceive the country as to the facts?

Mr. GILBERT. May I interrupt the gentleman?

Mr. BOREING. Certainly.

Mr. GILBERT. Why do you not return those that have already been indicted?

Mr. BOREING. You will find a full answer to your question in the statement made by Governor Durbin, of Indiana. Now, I will ask you, How it is that when you try Caleb Powers you can draw Democratic juries from a box that has Republicans and Democrats both in it?

Mr. GILBERT. Did not a Democratic jury acquit one of those fellows the other day? That is not an answer to my question.

The CHAIRMAN. The time of the gentleman from Kentucky has expired.

Mr. WADSWORTH. I believe that closes the general debate.

Mr. BOREING. I am very sorry that I have not time to complete what I have to say.

Mr. KLUTTZ. I ask that the time of the gentleman from Kentucky be extended to allow him to conclude his remarks.

Mr. WADSWORTH. We have had six hours' general debate on this bill, and I think that is enough.

The CHAIRMAN. Objection is made.

Mr. WADSWORTH. I move that we proceed now under the five-minute rule.

The CHAIRMAN. The time for general debate having expired, the Clerk will proceed with the reading of the bill.

The Clerk, proceeding with the reading of the bill, read as follows:

Office of the Secretary: For compensation of Secretary of Agriculture, \$8,000; Assistant Secretary of Agriculture, \$4,500; chief clerk, who shall be superintendent of the Department buildings, \$2,500; private secretary to the Secretary of Agriculture, \$2,250; stenographer to the Secretary of Agriculture, \$1,400; private secretary to the Assistant Secretary of Agriculture, \$1,600; 1 appointment clerk, \$2,000; 1 Chief of Supply Division, \$2,000; 1 telegraph and telephone operator, \$1,200; 1 clerk class 4, \$1,800; 2 clerks class 3, \$3,200; 2 clerks class 2, \$2,800; 7 clerks class 1, \$8,400; 5 clerks, at \$1,000 each, \$5,000; 1 clerk, \$840; 1 engineer, who shall be captain of the watch, \$1,600; 1 fireman, who shall be steam fitter, \$900; 1 assistant fireman, \$720; 1 assistant fireman, \$600; 1 electrician, \$900; 1 plumber, \$900; 1 blacksmith, \$840; 9 night watchmen, at \$720 each, \$6,480; 2 day watchmen, at \$720 each, \$1,440; 1 mechanic, \$1,100; 6 messengers, at \$840 each, \$5,040; 2 assistant messengers, at \$720 each, \$1,440; in all, \$93,450.

Mr. CANNON. Mr. Chairman, in line 12, page 2, I move to strike out the word "five" and to insert the word "four."

The CHAIRMAN. The gentleman from Illinois offers an amendment which the Clerk will report.

The Clerk read as follows:

On page 2, line 12, strike out "five" and insert "four."

The CHAIRMAN. The Chair would like to know which word "five" the gentleman proposes to strike out. The word "five" occurs twice in line 12.

Mr. CANNON. Where it first occurs.

Now, Mr. Chairman, I should like to ask the attention of the gentleman in charge of the bill [Mr. WADSWORTH]. I can not state in five minutes all that I have to say.

Mr. WADSWORTH. Well, I will extend the gentleman's time.

Mr. CANNON. I do not know that I want it extended at this point. There are other points where the very thing that I have in view occurs where I may want a little more than five minutes. I hold in my hand the report that accompanies this bill, and read the following paragraph from it:

The apparent increase in the salary rolls of the several bureaus and divisions of the Department is not an actual increase either of salary or clerical force, but is accounted for by the transfer to the statutory rolls of clerks who have heretofore been paid from the lump-sum rolls, and who were then, as now, part of the permanent force of the Department. These transfers were made on the recommendations of the Agricultural Committees of both the Senate and the House.

Now, I have run through this bill and ascertained the number. The report is silent as to the number and amount. I find that there are specifically appropriated for in this bill on this salary list 89 people, aggregating salaries of \$103,390. Well, now, if that was the whole story, there could not be much objection to it, except that from general appropriations, where the Secretary

or the various bureaus had discretion, they have employed a number of people who were covered up. Those people, for anything that I have so far discovered in the bill, are not entitled to thirty days' leave of absence or thirty days' sick leave. So that this innocent transfer picks up these 89 people that nobody knew anything about until they were picked up, and puts them in this additional favorable position. But perhaps if they are really performing the duties that are usual to the Government, that would not be an objection.

Now, I crave the attention of the gentleman to the statement of an additional fact. One would suppose if you picked up \$113,000 worth of people who were paid from lump-sum appropriations, that that would provide for the service, and it ought to. I will submit to the Committee of the Whole that it ought to, and that that should cover the whole ground. But now what do we have? Why, the lump-sum appropriations, in every case, after you relieve them of this \$113,000 worth of people, are largely increased—in every case, so far as I have been able to examine.

Mr. WADSWORTH. You have not gone through the bill.

Mr. CANNON. Well, pretty closely. The report ought to have gone through the bill, but instead of that, there it is. It is some labor to go through the bill, and I have gone through it and had it gone through very thoroughly. He makes various general appropriations with authorization of employment of personal service, and it shows that no one of them has been in the appropriation of the last law.

Mr. WADSWORTH. The salary?

Mr. CANNON. No; the general appropriation. You pick up \$103,000 and make it specific, and say in your report that it is paid from the general appropriation. Now, you add them specifically and increase your general appropriation in the bill. With the same power you could go on and add a hundred thousand or five hundred thousand, if you please, and add them from the lump appropriation. That is my criticism. Let me be a little more specific. In the Bureau of Animal Industry there are six—

The CHAIRMAN. The time of the gentleman has expired.

Mr. WADSWORTH. I ask that the gentleman's time be extended five or ten minutes, whatever he pleases.

The CHAIRMAN. The gentleman from New York asks unanimous consent that the time of the gentleman from Illinois be extended for five minutes.

Mr. CANNON. Well, ten minutes. I do not think I will take five.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. CANNON. Six employees in the Bureau of Animal Industry are picked up specifically at a cost of \$7,400, whereas the general appropriation for the Bureau of Animal Industry is increased \$110,000.

Mr. WADSWORTH. Where do you get those figures?

Mr. CANNON. From your bill.

Mr. WADSWORTH. I want to correct the gentleman right there. The total increase for the Bureau of Animal Industry is \$93,150. That is the total increase—the increase of salaries and lump sum.

Mr. CANNON. Well?

Mr. WADSWORTH. Your figures are wrong.

Mr. CANNON. I think my figures are right.

Mr. WADSWORTH. They are wrong, I want to say to the gentleman.

Mr. CANNON. Well, the amount of your bill is \$1,160,000; the current law is \$1,050,000. That is a difference of \$110,000.

Mr. WADSWORTH. The item for the Bureau of Animal Industry carried in the bill for 1902-3 is \$1,247,180. The bill of 1901 carried \$1,154,030. That is a difference of \$93,150.

Mr. CANNON. I am speaking of this one appropriation.

Mr. WADSWORTH. I am speaking of the total expenditure for the Bureau of Animal Industry.

Mr. CANNON. I am speaking of the lump sum, where this abuse comes in. The matter that I am talking to I want to be pat on, and I say upon the lump sum the appropriation for the Bureau of Animal Industry is by this bill \$1,160,000, and the lump sum appropriated in the current law—that is, the law that was enacted a year ago—is \$1,050,000. In other words, in this one Bureau you pick up \$7,000 plus for specific clerical service, and you increase the lump sum \$110,000. Well, now, what language do you put in? Here is the clause on page 12:

And for this purpose to employ as many persons in the city of Washington or elsewhere as he may deem necessary.

And so on. You can take that whole increase of \$110,000, and then you can take the \$7,000, and then you can take more. Now, all I mean to say is, you run through these various bureaus and you hold out to the casual reader that you are picking up all your clerical force and putting it on here specifically. You do that, and you retain the power to appoint additional employees without limit, limited only by the amount of the appropriation.

Mr. WADSWORTH. Let me call the gentleman's attention to this, and I read from the report what it says:

The apparent increase in the salary rolls of the several bureaus and divisions of the Department is not an actual increase either in salary or of clerical force, but is accounted for by the transfer to the statutory rolls of clerks who have heretofore been paid from the lump-sum rolls and who were then, as now, a part of the permanent force of the Department.

These men that are transferred to the statutory rolls are men who are looked upon now in the Agricultural Department as permanently necessary for the work of the Department.

Mr. CANNON. Well, now, why do you put in these words, and why do you increase your appropriation specifically \$110,000?

Mr. WADSWORTH. Let me answer.

Mr. CANNON. Let me finish my question. And why do you put in these words, under which there can be any other people employed for this purpose?

And for this purpose to employ as many persons in the city of Washington or elsewhere as he may deem necessary.

I want to say that you can search in vain in every other appropriation and you can not find that power anywhere, and you ought not to find it anywhere.

Mr. WADSWORTH. The gentleman must remember the work of the other departments is practically all done here in the city of Washington, while the largest per cent of the whole work of the Department of Agriculture is done all over the country.

Mr. CANNON. Oh.

Mr. WADSWORTH. Inspecting the diseases of fruit trees and cattle, and but very little of the work is done practically in the city of Washington. All these men on the statutory rolls go out through the country inspecting diseases of fruit, of cattle, and hogs, and they are not permanently employed here.

Mr. CANNON. Why do you put in this language?

And for this purpose to employ as many persons in the city of Washington—

Mr. WADSWORTH. In the city of Washington and elsewhere.

Mr. CANNON. Why did you put that in?

Mr. WADSWORTH. To give the Secretary of Agriculture leeway so that he can employ them here or send them elsewhere. If they were sent elsewhere the Comptroller might object to the item and there would be trouble.

Mr. CANNON. Mr. Chairman, there is now in permanent law, enacted in 1883-84, a provision that runs to the whole public service, that no man shall be employed in the city of Washington in departmental service unless he is specifically appropriated for. Now, the necessity for that, after a scandal, was that the various departments would use the various appropriations to fill up the departmental service, and we put that into fixed law. Yet here the gentleman evades that by taking up that \$113,000 worth specifically, and instead of curing the abuse he increases, in this one instance, the appropriation by \$110,000, and provides that they can go on and commit that abuse.

Now, I am getting tired that in the name of agriculture, in the name of the farmers—and I represent an agricultural district—that this Department of Agriculture with its bureaus, which run the Department, in my judgment, instead of the Department running the bureaus—in the name of agriculture I am getting tired of this kind of abuse. Therefore I shall move to amend from point to point and try to correct the bill in this respect.

Mr. TALBERT. Mr. Chairman, I am sorry to see the gentleman from Illinois use his great powers in opposition to the farmers.

Mr. CANNON. I am not; I am protesting against the abuse in the name of agriculture and the farmers that exists in this Department and abounds throughout this bill.

Mr. TALBERT. Well, the gentleman can call it by any name he chooses; a rose by any other name would smell as sweet. [Laughter.] At any rate, the gentleman seems to be in favor of cutting down the amounts herein contained.

Now, Mr. Chairman, I desire to say a few words in defense of this Department and to show some statistics or figures.

During the fiscal year ended June 30, 1901, the exportation of agricultural products from the United States reached a total value of \$950,000,000. In other words, fully 65 per cent of the domestic merchandise sent abroad during the year originated on the farm. As to the percentage of our population that depends, directly or indirectly, upon agriculture for its livelihood, I have not the exact figures by me, but it is certainly a conservative estimate to place it between 50 and 60 per cent.

The exact relation of the Department of Agriculture to this vast interest is defined by the act approved forty years ago (May 15, 1862), establishing the Department, which act provides that—

The general design and duties of which (the Department of Agriculture) shall be to acquire and diffuse among the people of the United States useful information on subjects connected with agriculture in the most general and comprehensive sense of that word.

And to this end the Secretary of Agriculture is—to acquire and preserve in his Department all information concerning agriculture which he can obtain by means of books and correspondence and by

practical and scientific experiments, * * * by the collection of statistics, and by any other appropriate means within his power.

So much for the Department's duties. Now, then, to enable the Department of Agriculture to execute the task thus laid upon it annual appropriations have been made which, at the end of the fiscal year 1901, amounted in round numbers to \$38,600,000 for the forty years of the Department's existence. With this total in mind, it is of interest to turn to page 401 of the Letter of the Secretary of the Treasury transmitting Estimates of Appropriations required for the Fiscal Year ending June 30, 1903 (Fifty-seventh Congress, first session, House of Representatives Document No. 12), from which it appears that for the fiscal year 1902, out of a total of appropriations for the support of the Government reaching \$806,596,877.55, the Department of Agriculture received but \$4,582,758.16, or seven-tenths of 1 per cent. The total of the estimates for 1903 is \$610,827,688.47, of which the Department of Agriculture asks \$5,509,540, or a very little over nine-tenths of 1 per cent. The appropriations asked for each of three other Departments of the Government for the year 1903 are more than four times the total of appropriations for the Department of Agriculture from 1862 to 1901, inclusive. Then it seems to me that everyone on this floor should stand by this Department in the interest of agriculture.

It should be added here that of the \$5,509,540 estimated for the Department of Agriculture for 1903, \$720,000 is for the State experiment stations, and over this sum the Department exercises only a supervisory control. Even including it, however, he has asked for less than 1 per cent of the total estimated for the support of the Government.

If the Secretary of Agriculture had based his estimates upon the demands for experimentation and investigation made by various agricultural interests (such as cotton interests, cattlemen, fruit raisers, tobacco growers, etc.) he could have largely increased the total without in the least exceeding the wishes of the people engaged in these important industries. The Secretary of Agriculture in every case asked for no more money than he felt the Department could wisely use, and for this reason he no doubt felt disposed to regard as unjustified the criticism that the Department of Agriculture is growing too fast.

It is said that this Department is growing too fast. Why, Mr. Chairman, is not every other department of this great Government growing every hour, every day, and is not every other industry dependent upon this one in a measure? Then why not make the foundation stronger and stronger?

That is the only criticism, perhaps, Mr. Chairman, we have in this Department, and it seems to be the determination of the House to begin to economize on the farmer. I would like to submit here some things that this Department has done. Let us first take cotton and see what the Department is doing along that line.

Cotton.—For several years the Department has been working on cotton in the South, particularly in South Carolina, in connection with the fine sea island varieties. Several years ago this industry was seriously threatened by a number of very destructive diseases, but as a result of the Department's work these have in a measure been overcome. New and resistant varieties have been developed by crossbreeding and selection, and improved methods of cultivation have been put into operation. Some striking results have been obtained in the way of securing crossbred cottons. The fine, long staple, sea island varieties have been crossed with the upland forms, and as a result cottons have been secured adapted to the uplands much superior to the general varieties now in use. These are being grown in quantities and will be distributed in such a way as to enable the farmers of the South to determine their advantages.

Egyptian cotton.—The United States imports about six and a half million dollars' worth of Egyptian cotton every year, and for some time efforts have been made with a view to growing this important crop in the United States. The past two or three years' work has given very promising results in this direction, and it is believed that sooner or later conditions will be found suitable for the production of very high grade Egyptian cotton. "This year," I quote from the report of the Secretary of Agriculture, "a bale of Egyptian cotton grown from imported seed in southern Georgia was given a thorough spinning test in a mill in Connecticut, and was pronounced equal to the best imported grades." Egyptian cotton has already proved very valuable as a means of getting hybrid varieties adapted to many parts of the South. The crossing of the Egyptian forms with the upland varieties has been successful, and their adaptation to different sections is now being tried.

Now, let us see about the cowpea, the great forage and fertilizer crop of the country.

Resistant cowpea.—The cowpea forms an important link in connection with the work on cotton, especially in the Sea Island regions, where it is used in rotation. In recent years the cowpea

has been subject to several serious diseases, but recently the Department has secured a hardy sort which withstands several destructive enemies, and which will put into the farmers' hands a means of bringing their lands to a higher state of fertility than ever before. The resistant cowpea, combined with the hybrid cottons, will, it is believed, work a revolution in the production of cotton in certain parts of the South.

As to lilies, what are the facts in the case?

The growing of lilies.—In all the large cities of the United States there is an immense demand for flowers at certain seasons of the year and equally so in the country. This is especially the case with lilies, the bulbs of which are for the most part being grown in the Bermuda Islands. Probably one-half million dollars is devoted to this industry in Bermuda, and it has long been believed that there are many parts of the South where work of this kind could be successfully carried on. Investigations and experiments with this object in view have been inaugurated in a number of places with promising results. The Department is maintaining a station at Miami, Fla., for the study of questions of this kind and many others of importance to the farming interests of the Southern States. At this station many problems pertaining to the truck industry, the growing of citrus fruits, and the growing of other valuable products for Northern markets are being considered.

Then comes a fruit universally used and enjoyed.

Hardy oranges.—Soon after the great freeze a few years ago the Department inaugurated a series of investigations and experiments, having in mind the production of varieties of oranges and other citrus fruits more hardy than those in existence. Some very striking results have been obtained in this direction by crossing a hardy nonedible orange from Japan with the tender edible varieties from Florida. More than 5,000 hybrids have been obtained and have now been growing for two or three years. In all probability these oranges will fruit the present season, and we will then be able to see definitely the result. If only one hardy orange is secured, it will be a great thing for the people of the South, for it will enable them in a large measure to reestablish the important industry which was so severely injured a few years ago. Florida has many advantages in the production of citrus fruits, and if it were not for the great risk in the matter of cold the work would be exceedingly profitable. The hybrids secured as a result of breeding are now being grown in many parts of the South and have already proved their hardiness, and, as already indicated, their value, so far as fruit is concerned, will in all probability be determined the present year. Now, as to the markets for these products.

Opening foreign markets for fruits.—Down through the entire Appalachian region, extending from northern Virginia into central Georgia and Alabama, there is a growing interest in the production of fruits, especially peaches, pears, etc. With the extensive plantings that are now being made the question will soon arise as to what is to become of the products. Last year the Department inaugurated some work, having in mind the extension of our fruit markets into foreign countries. Through careful attention to the details of picking, packing, storage, etc., various perishable fruits have been successfully sent into foreign markets and there sold at very remunerative prices. Altogether there is a most promising outlook for a further continuation of this work, as its success largely depends on putting into operation practical methods of handling the crops. Then comes a product much used and enjoyed by old and young everywhere.

Tea.—Very nearly everyone in South Carolina is familiar with the efforts for the production of tea in the State. All are not familiar, however, with the success which has recently attended this work. There are now nearly 100 acres of tea on the plantation at Summerville, and steps have been taken toward the establishment of a large plantation near Charleston, covering something like a thousand acres. All through the South there is a growing interest in this work, and with proper attention to details it is believed that success will be assured. There is a great deal yet to learn in the methods of handling the tea, and for this reason the work will have to be continued at a number of points. Fine grades of green teas can now be made; in fact, the teas produced last year at Summerville have been pronounced by experts equal and in many cases superior to the best imported varieties. Through the perfection of machinery tea can be picked on Monday and put into the New York market on Thursday at a total cost of 15 to 20 cents a pound. The labor problem, of course, is important in this connection; but it is believed that all through the South this can be met by the utilization of idle colored help under proper management. In the utilization of such help the cultivation of silk could also, in all probability, be introduced.

Rice.—As to rice, a great product for all, through recent work great advances have been made in the rice industry, especially in Texas and Louisiana. Several years ago it was difficult to arouse interest in this crop, but through the importation of foreign and

more desirable varieties the whole industry has been put on a new basis. More than a million dollars was brought into the States of Louisiana and Texas alone last year as a result of this work, and it is estimated that \$20,000,000 has been invested in the industry, covering lands, mills, etc. During the last three years the imports of rice in the United States have fallen from 150,000,000 pounds to 73,000,000 pounds. This marked decrease in importation has gone hand in hand with our own increased production, and is not due to any falling off in the consumption of rice in the United States.

Forage crops for the South.—One of the most striking needs of the Southern States is to secure more and better forage crops. The Department has been putting forth efforts in this direction for some time and promising results are being secured. There is now in the Orient a gentleman who has been prominently identified with the agricultural interests of the South, collecting seed of all kinds for distribution and getting facts which will enable him, on his return, to teach the farmers of the Southern States the use of forage crops and the diversification of their work. This gentleman is also charged with securing new varieties of rice for planting on the uplands and any other new crops that may be of value to this region. The Department is cooperating with the State experiment stations in nearly all the States, and all are working together to the end of building up the agricultural industries and enabling the farmer to produce more than has ever been done before.

These are only a few of the many advances along these lines the Agricultural Department has made, which speaks well indeed for the very efficient man who is now the head of that arm of the Government, the Hon. James Wilson.

Now, Mr. Chairman, I do not think anyone should rise and ask to cut down what the Secretary of Agriculture asks for. I think he has been moderate and reasonable, and only asks for what he can utilize for the benefit of the agricultural sections of this country in common with all other parts of the same, and I hope that none of them will be cut down, and I hope that some will be raised back to the recommendation that he made in his report, for he certainly has demonstrated by his wise policies that he knows his business.

Mr. WADSWORTH. Mr. Chairman, I will only touch on the amendment offered by the gentleman from Illinois, and when we reach the Bureau of Animal Industry I will have something to say about that. This is not an increase of salary; it is a transfer of a clerk from the lump-sum roll. Previous to this he has been paid for from the lump-sum roll. It had been the wish of the Secretary to put on the statutory roll all those who are needed permanently in the Department. In doing that we have transferred a number from the lump-sum roll to the statutory roll, and it is stated in the report that this is not an increase in salary, but simply a transfer from one roll to the other. I hope the amendment will not be agreed to.

Mr. CANNON. Mr. Chairman, I made this amendment for the purpose of making a statement to the House. I have no objection to the transfer from the lump-sum roll of the \$103,000 worth of people to the specific roll in the Department in the city of Washington. What I object to is that after you transfer them as provided for that service in the Department here—I am not talking about the service throughout the country—you still leave on the lump-sum roll available for more lump-sum employees in the Department here.

Now, that is what I object to, and therefore I will withdraw my amendment after calling attention to it and accomplishing my object and make my amendment at the various lump-sum appropriations as they are reached.

Mr. WADSWORTH. Mr. Chairman, a great many men employed outside of the city of Washington are on the statutory roll, and the Secretary must have some leeway. For instance, take the Bureau that the gentleman has called attention to, and it employs many microscopists, and many employees in the abattoirs of St. Louis, Chicago, and other places. If the demand for inspection ceases, he discharges them; if it increases, he has power to reemploy them.

Mr. CANNON. That is all right.

Mr. WADSWORTH. He must have this leeway in order to transact properly the business of the Department. In other words, these employees can not all go upon the statutory roll, but only those that are permanently needed.

Mr. CANNON. I do not think there is any material difference of opinion between the gentleman and myself. I would not propose any amendment that would interfere with the discretion of the Secretary of Agriculture to employ all needful persons for the purposes that he specifies or for any other purpose under the law outside of the Department in Washington. When it is proposed to expend \$103,000 in the employment of clerks, to be paid from the lump sum, and to be employed here in the Department at Washington, as provided for the coming year, I make no objection to that.

But what I do object to, as I shall point out later on, is to continuing this lump-sum appropriation and making it available for the employment of more clerks down here in this Department. I want this Department here in Washington to be "on all fours" with the Treasury Department, the Post-Office Department, the Interior Department, and every other department. I think, if the gentleman understands what I am trying to accomplish, there will be no serious difference of opinion between us. I withdraw the amendment.

The Clerk read as follows:

Office of the Secretary: Laborers and charwomen: One laborer, \$600; 3 charwomen, at \$480 each, \$1,440; 5 charwomen, at \$240 each, \$1,200; for extra laborers and emergency employment, \$1,000; in all, \$4,240.

Mr. WADSWORTH. I move to amend the paragraph just read by inserting after the word "women," in line 5, page 3, the words "one messenger or laborer, \$720." This is to correct an omission. It was in the bill of last year.

The amendment was agreed to.

Mr. WADSWORTH. I request that the Clerk be authorized to change the total in accordance with the amendment just adopted.

The CHAIRMAN. That will be done if there be no objection. There was no objection.

The Clerk read the next paragraph, containing the following:

Salaries of the Weather Bureau: Office of Chief of Weather Bureau: One Chief of Bureau, \$5,000; one assistant chief of bureau, \$3,000, etc.

Mr. CANNON. I make a point of order upon these words in line 16, page 3: "One assistant chief of bureau, \$3,000."

Mr. Chairman, so far as I am aware, there is no "assistant chief of bureau" authorized by law. There is no law to support this recommendation. It appears now for the first time.

Mr. WADSWORTH. That is true. The clause is subject to a point of order. The committee inserted it in good faith, on the request and recommendation of the Chief of the Weather Bureau, as absolutely necessary for the proper performance of his work.

When he is absent on duty there is no one to take his place until you get down to the chief clerk. It was thought desirable that there should be an assistant chief, to be associated with the chief, and to be responsible for the work in the absence of the chief. I acknowledge that the clause is subject to a point of order.

The CHAIRMAN. Upon the statement of the gentleman from New York [Mr. WADSWORTH] the Chair sustains the point of order.

The Clerk read as follows:

All other expenses, itemized as follows: Maps, bulletins, stationery, and scientific and other publications for stations, and the maintenance of a printing office in the District of Columbia for printing the necessary circulars, weather maps, bulletins, and monthly weather reviews (including the hire of printers, lithographers, and other necessary working force); for traveling expenses; for freight and express charges; for instruments and shelters therefor; for telegraphing or telephoning reports and messages, the rates to be fixed by the Secretary of Agriculture by agreement with the companies performing the services; for rents and other incidental expenses of offices maintained as stations of observation; for maintenance and repair of seacoast telegraph lines; for experiments in wireless telegraphy, including all necessary expenses; for river observations and reports; for storm and other signals; for cotton-region observations and reports; for corn and wheat observations and reports; for aerial observations and reports; for supplies for climate and crop services, and for investigations on climatology, including assistance and all necessary expenses, \$486,000.

Mr. CANNON. I move to amend by striking out the last word. I desire to ask the gentleman in charge of the bill how much of this \$486,000 and other appropriations is to be used in the Weather Bureau for crop and other statistics?

Mr. WADSWORTH. I can not tell the exact amount that is used for that purpose. These crop reporters receive, I believe, a very small sum from the Weather Bureau. They make their reports almost gratuitously; in some cases absolutely so.

Mr. CANNON. My reason for asking the question is that when we turn over to page 41 we find an appropriation for the statistics of the Statistical Division of the Agricultural Department.

Mr. WADSWORTH. I know what the gentleman is coming to.

Mr. CANNON. What I want to say is that it costs \$177,980 for "statistics in the Division of Statistics" in this Department, whereas the whole division of statistics in the Treasury Department costs, I believe, \$60,000, and the whole Department of Labor expends for this purpose only \$177,000. I believe that in undertaking to state the appropriation for the Division of Statistics I stated the amount too small. When all the items are put together, it will amount to more than I stated.

Now, what I want to know is this: In addition to this enormous sum for getting statistics in one division of the Agricultural department, how much is paid to the Weather Bureau division for duplicating those statistics? I think I am entitled to know this, because here is an appropriation of nearly half a million dollars in this one item, and I want to see to what extent two

divisions in a single department are doing the same work and how much money may be thrown away in that manner. I want to see whether there is not somewhere in Congress or in some department the power to prevent duplication of that kind.

Mr. WADSWORTH. Mr. Chairman, the subject to which the gentleman from Illinois [Mr. CANNON] refers had full consideration by the committee, and they heard the Secretary of Agriculture on that very point. I myself took the ground that that work could be done and done more economically by the Weather Bureau, and that there was no need of the Division of Statistics in the Department of Agriculture. Indeed, I think there is no need of the Bureau either in the office of the Secretary of the Treasury. The Bureau of Statistics of the Treasury Department and of the Agricultural Department ought to be transferred to the Census Bureau. That is where it properly belongs. But the Secretary of Agriculture told the committee very positively that he was not ready to make the transfer, that he had had it under consideration, and that the matter would be brought up and adjusted by the following year, and the matter was left in abeyance, in that shape, in deference to his wishes in the matter.

Mr. CANNON. Now, for the sake of argument, I will make a statement. I am accurate, I think, as to what the Division of Statistics in the Agricultural Department costs. It is nearly up to \$200,000.

Mr. WADSWORTH. One hundred and fifty thousand dollars.

Mr. CANNON. One hundred and fifty thousand dollars, the gentleman says, but he will find it something more. That is nearly three times what the statistics cost in the great Treasury Department. It is nearly as much as the whole Department of Labor costs, and that gathers statistics about everything, almost, and I undertake to say that I have no doubt that there is over \$100,000 expended in gathering statistics in the Weather Bureau and for their publication, which statistics duplicate the statistics gathered in the Division of Statistics in this Department, and that has been so for three or four years, and attention has been called to it time and time again, and yet in the name of the farmer we are to have this abuse going on, and when you call attention to it somebody gets up and opens his mouth and says that you are discriminating against the farmer. Now, I am a farmer and I represent farmers, and I want to say again that I am tired of that kind of thing. There is not a farmer that I represent, or, in my judgment, that anybody else represents, unless he wants to get into this Department, who has any patience with this duplication.

Mr. KLUTTZ. Will the gentleman yield for a question?

Mr. CANNON. Certainly.

Mr. KLUTTZ. I will ask the gentleman if it is not true that the statistics and observations of the Weather Department are given to the public much earlier and more rapidly than those of the other department—given to them at once and at a time when they are of use?

Mr. CANNON. I think very likely it is true that the Weather Bureau Division does its work more promptly than the Statistical Division in the Agricultural Department. What I want to do is to cut out one or the other. Shall we cut out the Division of Statistics?

Mr. KLUTTZ. Of the two I would say yes.

Mr. CANNON. Well, they duplicate work, and what is the use of the duplication? And the Weather Bureau is first with the people, as I understand it. What possible excuse is there for it? I am acquainted with the Secretary of Agriculture, and I served in this House with him and esteemed him very highly; but let me tell you what I think—and that covers myself—there are a few laymen who may be in the public service who come in contact with the alleged scientists, who do not go to the wall when they come in contact with names that we do not understand, and there you have got it. I believe it would be wise to recommit this bill to the Committee on Agriculture with instructions to put in the pruning knife and cut out one or the other of these useless divisions. I do not mean that it is useless so far as the information is concerned. That is good, but it is worse than useless when you come to duplicate it.

Mr. GARDNER of New Jersey. Is it not true that the statistics gathered by the Weather Bureau are those that are immediately given to the public and published over the country, as to the condition of the crops in consequence of the weather, and all that? As I understand it, the work is not duplicated in a sense. That is to say, the weather observer here, there, and yonder gives every other local weather observer the condition of the climate, rainfall, state of crops, and all that sort of thing and reports it. The country gets that through the Associated Press at once for whatever it is worth, whereas if it went to the statistical department of the Agricultural Department you would get it next year.

Mr. CANNON. Now, my information from experts is that this work is duplicated and that the valuable part of it is done by the Weather Bureau, and that with very slight additional expense

it could do promptly all that the Division of Statistics does, and that there would be a great saving of money, and then we would have this scandal disappear from one small department by having these expenditures do double work.

Mr. WADSWORTH. Mr. Chairman, I simply want to repeat, as one member of the committee, that I was heartily in favor of it, as some other members were also, and I simply wish to say that in deference to the judgment of the Secretary of Agriculture—it being a mere question of administration in his Department—we did not wish to go directly contrary to his wishes.

Mr. CANNON. Now, we have waited for him four years. In the name of all that is good how much longer have we to wait?

Mr. WADSWORTH. The gentleman must ask the Secretary of Agriculture.

Mr. CANNON. Then I will move to strike out the Division of Statistics when we reach it and test the sense of the House in regard to it.

Mr. GAINES of Tennessee. Will the gentleman from Illinois tell us whether or not this information in the two bureaus is given out simultaneously?

Mr. CANNON. I do not understand it so. I understand the Weather Bureau is first.

Mr. GAINES of Tennessee. That is every day, as I understand it.

Mr. CANNON. Oh, and every week and every month.

Mr. GAINES of Tennessee. Is it not every day?

Mr. CANNON. I think so, as to some things.

Mr. GAINES of Tennessee. I am inclined to believe with the gentleman from Illinois, but I want to get at whether the facts are published simultaneously. The gentleman says they are not. Then the statistics that come from the other part of the Weather Bureau or the other part of the Department are published later on, and possibly, as the gentleman from New Jersey [Mr. GARDNER] says, the next year, so Congress and the people would not get these statistics, if that be true, until next year, if your amendment obtains.

Mr. WADSWORTH. I want to correct a statement that I made to the gentleman from Illinois [Mr. CANNON]. I stated to him that I thought the climate and crop reporters of the Weather Bureau received a small compensation. It seems that they do not receive any, except in the way of receiving the Weather Bureau Reports.

Mr. GAINES of Tennessee. Will the gentleman enlighten us on the proposition as to when these statistics go out from the two branches of the Bureau? Which goes out first in point of time?

Mr. WADSWORTH. The Weather Bureau reports naturally would go out first.

Mr. GAINES of Tennessee. When do the other statistics go out? When are they distributed among the people?

Mr. WADSWORTH. The crop reports are distributed and announced once a month by the Division of Statistics.

Mr. GAINES of Tennessee. How?

Mr. WADSWORTH. By publication by the Secretary of Agriculture.

Mr. GAINES of Tennessee. They are published by the Department and distributed through members of Congress?

Mr. WADSWORTH. Yes; but they are also sent out by the Department, and the information goes out to the country through the press.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GAINES of Tennessee. I move to strike out the last word. Will the gentleman explain now exactly how this very vital information is published?

Mr. WADSWORTH. I stated to the gentleman that the Statistical Division issued its reports once a month.

Mr. GAINES of Tennessee. Distributed how?

Mr. WADSWORTH. They are given out for publication by the Department. The report of the Weather Bureau in regard to weather comes out and is distributed all over the country, every day.

Mr. GAINES of Tennessee. How?

Mr. WADSWORTH. By these cards that you see everywhere, and in the newspapers and by telegraph.

Mr. GAINES of Tennessee. And the other is sent through the mail?

Mr. KLUTZ. I move to strike out the last two words.

With every deference for the opinion of the distinguished gentleman from Illinois [Mr. CANNON], I hope his amendment will not prevail. There may be duplication in this work, but just at this time I agree with the Secretary of Agriculture, who, I want to say, is the best that this country has ever had, that this is not the proper time to make a change. We have just made the Census Bureau a permanent one. We are just about, I hope, to establish a new department of labor and commerce, where all these matters of statistics can be consolidated and put in the proper place and be given to the public in the proper way. I think it

would be premature now to strike out this section or any part of it, and thus cripple the work of statistics. I want to call attention, too, to the fact that in this section there are a great number of matters which do not come within the province of the Weather Bureau, and if this section were stricken out or emasculated or the appropriation for the same cut down they would be seriously crippled.

I withdraw the pro forma amendment.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn.

Mr. WADSWORTH. Now, I ask unanimous consent to return to page 5, line 14, to correct the total. It should be \$165,260. It is simply the correction of the total, owing to the striking out on a point of order of one assistant chief of bureau at \$3,000.

The CHAIRMAN. Without objection, the correction will be made.

There was no objection.

The Clerk read as follows:

For maintaining the Weather Bureau stations already established by the Secretary of Agriculture, or to be established by the Secretary of Agriculture, in Bermuda, in the West Indies, or on adjacent coasts, and for establishing and equipping meteorological stations in the Hawaiian Islands for taking daily observations of meteorological phenomena; for collecting reports thereof by cable and otherwise; for disseminating information based thereon of the approach of tropical hurricanes and other storms; and for collecting and publishing such climatological data as may be of public benefit, including salaries of 1 professor of meteorology, at not exceeding \$3,000; 1 forecast official, at not exceeding \$2,000; section directors, observers, and other necessary employees (all for duty at the places named in this act or at such points in the United States as the exigencies of the weather service may require); rent of offices, stationery, furniture, and instrumental supplies; traveling expenses; freight and express charges; cablegrams and telegrams; and all other necessary expenses, \$50,000.

Mr. JONES of Washington. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

After the word "islands," line 20, page 7, insert the words "and if practicable in the Aleutian Islands."

Mr. WADSWORTH. Mr. Chairman, I have an amendment to that amendment that I would like to have inserted. After the words "if practicable" insert the words "and useful."

Mr. CANNON. I want to make the point of order before it is too late.

Mr. WADSWORTH. It is subject to a point of order.

The CHAIRMAN. Does the gentleman from Washington accept the amendment of the gentleman from New York? The Clerk will state the gentleman's amendment, as it will be amended.

The Clerk read as follows:

Insert after the word "islands," in line 20, "and if practicable and useful in the Aleutian Islands."

Mr. CANNON. Well, now, to both amendments I make the point of order, and the gentleman from New York acknowledges it. It seems to me that that disposes of it.

Mr. WADSWORTH. It is new legislation, and it increases the expense practically.

Mr. CANNON. Precisely.

The CHAIRMAN. Does the gentleman from New York acknowledge it is new legislation?

Mr. CANNON. I make the point of order that this appropriation is to establish by the Secretary of Agriculture in the Aleutian Islands meteorological stations, and to equip them and so on. Now, then, for these new establishments it may or may not be necessary to buy a site on which to construct a building. It is not authorized by law. It is like unto a public building or lighthouse; it is like unto a great many other things that have to be authorized by law before the appropriation is in order upon a general appropriation bill. Now, there is no legislation that authorizes it, and, therefore, whether it is proper or not—I will not discuss the propriety of it—there being no legislation, I make the point of order, and it is so perfectly plain that the gentleman from New York has no doubt about it.

Mr. JONES of Washington. It seems that this amendment is right in line with the provision of the section here to which this amendment is offered. It provides for the establishment and equipment of meteorological stations in the Hawaiian Islands. Now, if that is in order, it seems to me that this amendment would also be in order. It is right in line with the object of this section of the bill.

Mr. HENRY of Connecticut. A parliamentary inquiry. Has the section been read and is it subject to amendment?

The CHAIRMAN. The section has been read.

Mr. CANNON. Well, this is the current law from line 16 down to line 10, on page 8.

The CHAIRMAN. Does the gentleman from Illinois make the point of order against the section? The Chair has not fully comprehended the point of order made by the gentleman.

Mr. CANNON. No. I doubt if the section is subject to the point of order, because a year ago and the year before that these words were in the law. Now, this is for the extension of this

service; it is for the establishing of new stations. I will say to the Chair it is like unto the case of the Light-House Service, and yet the rule is well understood and it has always been that it is not in order on a general appropriation bill to move to build a light-house until the legislation establishing the light-house has been enacted.

Mr. JONES of Washington. May I ask the gentleman a question?

Mr. CANNON. Certainly.

Mr. JONES of Washington. This provision is in the bill, "and for establishing and equipping meteorological stations in the Hawaiian Islands."

Mr. CANNON. Yes; and that has been there for two years.

Mr. JONES of Washington. And my amendment is to that portion of the bill.

Mr. CANNON. Precisely.

Mr. JONES of Washington. That really under the fact is subject to the point of order because no general legislation has been enacted providing for it, but no point of order is made against that.

Mr. CANNON. Very well. If it is subject to the point of order, it is in the power of the gentleman to make it.

Mr. JONES of Washington. I do not desire to make it.

Mr. CANNON. But it would appear to me that it was not subject to the point of order because this provision has been in the appropriation bill a year ago and two years ago.

Mr. WADSWORTH. Three years. Ever since the Spanish war.

Mr. CANNON. Whether subject to the point of order or not, it is perfectly patent that any provision that now appears for the first time that would render necessary the acquisition of a site and the construction of a building, and so on, is subject to a point of order.

The CHAIRMAN. Let the Chair understand the gentleman from Illinois. He does not make the point of order against establishing the stations in the Hawaiian Islands?

Mr. CANNON. No.

The CHAIRMAN. There was an amendment offered and an amendment to that relating to the Aleutian Islands.

Mr. CANNON. Precisely.

The CHAIRMAN. Then the Chair will rule.

Mr. JONES of Washington. May I suggest this, Mr. Chairman. The gentleman says that this clause, "and for establishing and equipping meteorological stations in the Hawaiian Islands" has been in the last two appropriation bills. Now, I understand it to be a fact that this does not make it legislation, and it would still be subject to the point of order that no original law provided for it. Now, then, the point of order was not made to it, and any amendment can be offered to it that is germane, and that certainly would be in order.

The CHAIRMAN. Any amendment that is germane would be in order; but is it necessarily germane to establish a station on the Aleutian Islands?

Mr. JONES of Washington. To establish a meteorological station would certainly be germane to the provision in the bill.

The CHAIRMAN. If it was for a continuation of a public work, it might be germane. The Chair thinks the amendment offered by the gentleman from Washington is subject to the point of order made by the gentleman from Illinois; and sustains the point of order.

The Clerk read as follows:

For the purchase of sites and the erection of not less than six buildings for use as Weather Bureau observatories, and for all necessary labor, materials, and expenses, plans and specifications to be prepared and approved by the Secretary of Agriculture, and work done under the supervision of the Chief of the Weather Bureau, including the purchase of instruments, furniture, supplies, flagstaffs, and storm-warning towers to properly equip these stations, \$50,000.

Mr. CANNON. Mr. Chairman, to that portion of the paragraph, lines 11 to 18 inclusive, I make the point of order that they are new items, not authorized by any legislation, not in order under Rule XXI on a general appropriation bill. "For the purchase of sites and the erection of not less than six buildings for use as Weather Bureau observatories." Why, it is just like a public buildings bill in the sundry civil bill. It would not be contended for a moment that it would be in order to insert an item for the purchase of sites for six public buildings. It is precisely on all fours, no law to authorize it, and under the rule as universally applied upon all bills, in the absence of legislation establishing the observatories and authorizing the purchase of sites on a general appropriation bill, it is not in order because it is legislation as well as appropriations.

Mr. WADSWORTH. Mr. Chairman, the law under which the Weather Bureau was first established in 1891 contains this item:

It shall be the duty of the Secretary of Agriculture to prepare future estimates for the Weather Bureau, which shall be hereafter specially developed and extended in the interests of agriculture.

Under that clause, according to the law under which the Weather Bureau was originally established, the weather stations of the Bureau have been built. The Bureau of last year contained these items for the purchase of a site and the erection of small brick and wood buildings at each of the following-named places for the use of the Weather Bureau: Atlantic City, N. J.; Hatteras, N. C.; Fort Canby, Wash.; Port Crescent, Wash.; Tatoosh Island, Wash., and Port Reyes, Cal.

All I can say is that if it is subject to a point of order this year, it has never been made subject to a point of order heretofore. Under that clause in the law we have reported all the improvements in the Weather Bureau which have been going on for the last ten or twelve years. I insist that the law as just quoted gives the Weather Bureau the authority to do this work in the interest of agriculture.

Mr. CANNON. Mr. Chairman, they have the same authority that every other department has, namely, to recommend to Congress and to submit items; the same authority as has the Post-Office Department, the Treasury Department, and all of them. Now, the gentleman says that last year an appropriation like this went through.

Mr. WADSWORTH. Yes; and the year before, and the year before that, and for the last seven or eight years.

Mr. CANNON. For the last seven or eight years! For the sake of the argument, admitted; they went on because nobody rose in his place and made the point of order. Practice without objection can not be invoked to do away with the law and the rule. I will say to the gentleman frankly I did not make the point of order because I expect I did not notice it, and in the first instance I would not have made it because the abuse that has grown up in this Department had not then developed itself. Now, that it has developed, it is not only my privilege but my duty to say to the gentleman that if the point of order will stop this matter under the rules of the House, I think it is my duty to make it.

Mr. WADSWORTH. The gentleman does not think this is an abuse; it is in line with the improvement of the Weather Bureau Service as it has gone on for years in the past. I do not see how the Weather Bureau can meet the necessities of the country in any other way.

Mr. OLMSTED. Mr. Chairman, without expressing any opinion on the point of order, I would like to ask the gentleman from Illinois if there is any difference in principle between continuing the equipment of the Weather Bureau in this way and the growing up of the Fish Commission under appropriations in bills which he annually reports without any more authority than there is for this item.

I want to call attention to the ruling made in the last Congress by the gentleman from Illinois [Mr. HOPKINS] in the Chair upon the argument of the gentleman from Illinois [Mr. CANNON], chairman of the Committee on Appropriations, that there might be increased continuing appropriations for the Fish Commission under authority of law no stronger, it seems to me, than there is for this item under discussion.

Mr. CANNON. I recollect the ruling very well, and it was perfectly proper; but the gentleman fails to see the point. That was not where a fish station was authorized. On the contrary, the gentleman will recollect that he himself offered the amendment to build a fish-culture station, and I made the point of order against it, and it was sustained by the Chair on the ground that a purchase of the site and construction of the station must first be authorized by legislation, and then when once authorized appropriations would follow. This is on all fours; it is a proposition to purchase sites and to build observatories where none now exist. If this is in order, then it is in order on general appropriation bills without legislation to construct a public building at every crossroads in the country.

Mr. WADSWORTH. Mr. Chairman, I want to call attention to the fact that the bill last year contained almost identical appropriations at different points. It provided for the purchase and laying of a cable between the mainland and Tatoosh Island, and for general repairs to telegraph lines from Port Crescent to Tatoosh Island, Washington, including all necessary labor, materials, and other expenses.

The CHAIRMAN. The Chair has read the statute upon which the gentleman from New York bases the claim that the committee has authority to report in this bill appropriations of this kind. It seems to the Chair that section 9 of that statute simply directs what shall be the duty of the Bureau in a certain contingency. The Chair does not think the statute was intended to ever confer the power upon the Committee on Agriculture to include in an appropriation bill an appropriation authorizing the Department to purchase sites and erect buildings.

The object of an appropriation bill is to make appropriations for certain specific objects where laws recognizing the necessity and conferring the power to make them already exists. It has

been held that the enlargement or continuation of a work previously authorized by law is permissible upon an appropriation bill and is not subject to a point of order.

But the Chair has not had his attention called to any ruling by which it has been held that under the exceptional clause of the rule it is legitimate or proper to authorize the purchase of a new site and the erection of a building thereon. On the other hand it has been held distinctly that the erection of a laboratory building for the Department of Agriculture was not to be regarded as a continuation of a public work already in progress and that an appropriation for that purpose was subject to a point of order. The purchase of an adjoining building for a hospital already established was held to be such a continuation of a public work as came within the exception to the rule. But there is nothing of that sort here. And it has also been held that an appropriation undertaking to authorize the purchase of land was, under this language of the rule, subject to a point of order, where the land proposed to be purchased was separate and distinct from other land owned by the Government.

The Chair is therefore inclined to adopt the view of the gentleman from Illinois [Mr. CANNON] that this provision is distinctly legislation upon an appropriation bill; that the wisdom or unwisdom of establishing these sites and erecting buildings thereon—the decision of the question of their necessity or the contrary—is a matter to be determined on a proper bill, considered properly under the rules, and coming from a proper committee. Therefore the Chair holds that this provision upon this, a general appropriation bill, is subject to the point of order made by the gentleman from Illinois [Mr. CANNON], and the point of order made by the gentleman from Illinois is sustained.

Mr. WADSWORTH. I ask unanimous consent that the Clerk be authorized to correct the totals of this paragraph.

There was no objection.

The Clerk read the next paragraph of the bill, including the following:

To purchase, establish, improve, and maintain quarantine stations, and to provide proper shelter and equipment for the care of neat cattle, domestic and other animals imported at such ports as may be deemed necessary.

Mr. CANNON. I desire to make a point of order on the words "purchase, establish," in line 12, page 12. If the point of order should be sustained, the language would read:

"To improve and maintain quarantine stations," etc.

I submit that the authority to "purchase and establish," which would be carried by the words on which I raise my point of order, is legislation. This question involves the same principle as that decided on the previous point of order.

Mr. WADSWORTH. In the act of last year this item was carried as a separate clause:

Animal quarantine stations: To purchase, establish, and maintain quarantine stations, and to provide proper shelter and equipment for the care of neat cattle and domestic animals imported, at such ports as may be deemed necessary, \$25,000.

In this provision is found authority for the language now under consideration, which I claim provides merely for the continuation of a work already begun by authority of law.

The CHAIRMAN. The Chair would like to ask the gentleman from New York [Mr. WADSWORTH] what constitutes a "quarantine station?"

Mr. WADSWORTH. A piece of ground with suitable buildings and properly fenced in, to exclude all animals not intended to be domiciled there, so that no animals from the outside can come in contact with those thus fenced in. The grounds and buildings thus used may be either purchased or rented. I have read the clause contained in the bill of last year, in which authority was given to purchase.

Mr. CANNON. That was a mere appropriation—not legislation at all. The language now under consideration does not apply to anything that may have been purchased under that appropriation. What I propose to accomplish by striking out the words I have designated upon the point of order is to prevent legislation for the purchase and establishment of new quarantine stations. The language on which I have raised my point of order is, I insist, legislation, and is not in order on this bill.

Mr. WADSWORTH. Does not the gentleman think it is a continuation of the work of the bureau as already established?

Mr. CANNON. Oh, no; no more than the building of a new custom-house is continuing the work of the customs service, or the building of a new post-office the continuation of the Post-Office Department.

Mr. WADSWORTH. Well, Mr. Chairman, I have read the only authority I have—the clause contained in the bill of last year. These things have always been provided for in this way. If the provision of this bill is subject to a point of order, the committee, of course, will have to submit; but I think the provision in question is simply a continuation of the work of the bureau as already established, and is in order under the clause of last year's bill as I have read it.

The CHAIRMAN. The Chair will say to the gentleman from New York that under the ruling made a few moments ago the Chair believes it would hardly be competent to authorize the purchase of ground for a new station; but the establishment of such a station on land already owned by the Government, might, it seems to the Chair, be in order.

Mr. CANNON. Well, I will make it against each one separately.

The CHAIRMAN. The Chair sustains the point of order as to the word "purchase," and will not sustain it as to the other word.

Mr. WADSWORTH. Do I understand that the Chair sustains the point of order in regard to the word "purchase?"

The CHAIRMAN. Yes, sir.

Mr. CANNON. Then, Mr. Chairman, I make the point of order upon the words "two thousand five hundred," at the end of line 1 and the beginning of line 2, on page 10. The salary of the zoologist as fixed heretofore is \$2,250.

Mr. WADSWORTH. Mr. Chairman, I would simply say in answer to the gentleman from Illinois that it is subject to the point of order, but the committee had stated in its report that it increased the salaries of some of the scientific corps because after careful inquiry they were convinced that the salaries of those gentlemen were not equal to the salaries paid by educational institutions throughout the country nor by foreign governments, and that they were entitled to a little increase, and we granted it. We have not granted nearly as much as the Secretary of Agriculture recommended, however.

The CHAIRMAN. Upon the statement of the gentleman from New York the Chair rules the point of order is well taken.

Mr. WADSWORTH. I think, however, Mr. Chairman, that these scientists should be treated alike, and therefore I myself will raise the point of order on the salary of the Chief of that Bureau. I think he is one of the most capable servants in the employ of the Government. The Bureau of Animal Industry deals with all the export meats of this country, and Dr. Salmon, who is at the head of it, I think is one of the most worthy men in that Department. He has drawn a salary of \$4,000 for years, and has never himself asked for an increase. An increase to five thousand was suggested by the Secretary of Agriculture, but the committee did not take his suggestion, increasing the salary only \$500. I think it is only fair that the scientists, chiefs of bureaus, should be all treated alike, though I regret it exceedingly.

Mr. CANNON. I think this apology of the gentleman ought to be accepted. He makes the point of order, and for one I am in favor of accepting his apology.

Mr. WADSWORTH. I do not think it is treating these other gentlemen fairly, Mr. Chairman.

Mr. HASKINS. Mr. Chairman, was not this bill to be read and acted upon by paragraphs?

The CHAIRMAN. By paragraphs.

Mr. HASKINS. And, after the close of the reading of a paragraph, and no objection or point of order being made, and the Clerk having passed to the reading of another, can the gentleman then go back and raise the point of order upon a paragraph that has been passed over?

The CHAIRMAN. Not if we have passed it and gone on to the reading of the next one.

Mr. HASKINS. Very well; we have passed it and gone on to the next paragraph before this point of order was made.

Mr. CANNON. Oh, no.

Mr. HASKINS. Yes.

Mr. CANNON. It is all in one paragraph.

The CHAIRMAN. The Chair will state that the gentleman's objection to raising points of order comes too late.

Mr. CANNON. Mr. Chairman, this is all one paragraph, from line 6 on page 9 down to line 4 on page 14; it is all one paragraph.

Mr. HASKINS. The first paragraph closes with line 23 on page 10. The next subject-matter is general expenses of the Bureau of Animal Industry, and the first paragraph has relation to salaries alone.

Mr. CANNON. Well, it is just a question of fact. I think it is all one paragraph beyond question, and the Chair will have to decide between us.

The CHAIRMAN. I would like to ask the gentleman from Illinois a question. The gentleman makes the point of order against the salary. How much should it be?

Mr. CANNON. I think it all goes out on the point of order.

Mr. WADSWORTH. Oh, no; only the increase. It is a statutory office.

Mr. CANNON. The gentleman can move to insert in there the proper amount, if he desires to.

Mr. WADSWORTH. The point of order does not lie against the statutory office. The position is statutory. The gentleman from Illinois simply raised the point of order against the increase.

The CHAIRMAN. The point of order was raised against the

salary. The Chair will have to rule that the point of order being sustained, it took the whole matter out of the bill, and it would have to be put back by amendment.

Mr. WADSWORTH. Then at this point, Mr. Chairman, I ask unanimous consent to reinsert it at \$2,250.

Mr. CANNON. I have no objection to that.

The CHAIRMAN. The gentleman from New York asks unanimous consent to reinsert the part stricken out at \$2,250. Is there objection? [After a pause.] The Chair hears none.

Mr. WADSWORTH. Now, Mr. Chairman, to turn back to the salary of the chief of the Bureau, which is raised from \$4,000 to \$4,500, I feel very much inclined to withdraw my point of order, I have so high a regard and so much respect for the gentleman who occupies that position. My only reason for raising the point of order was that I did not think it was quite fair that some of the scientists chiefs of bureaus should be raised and not the others. The committee considered the whole thing together and made that recommendation to the House. I ask unanimous consent to withdraw the point of order, at least temporarily.

The CHAIRMAN. The gentleman from New York asks unanimous consent to withdraw his point of order. Is there objection? There was no objection.

Mr. CANNON. I move to strike out, in lines 4 and 5 of page 12, the words "in the city of Washington or."

The Clerk read as follows:

On page 12, lines 4 and 5, strike out "in the city of Washington or."

Mr. OLMSTED. Mr. Chairman, I would suggest to the gentleman from Illinois that the paragraph will not make sense with that amendment. That would leave them authorized to employ as many persons "elsewhere" as they saw fit.

Mr. CANNON. I have no objection to including the word "elsewhere," although I think the amendment would be good without it.

The CHAIRMAN. The gentleman includes the word "elsewhere" in his amendment.

Mr. CANNON. The object of this motion, Mr. Chairman, is not to embarrass the Agricultural Department in the slightest degree. As I said half an hour ago, we pick up on this bill \$103,000 worth of employees and appropriate for them specifically—clerks in the Department right here in Washington. Now, they had heretofore been paid from lump sums. It is very proper to pick them up, because that is the way that business is carried on in the District of Columbia, in the departments, and there is a general law that says no one shall be employed in the departments in the District of Columbia unless specially appropriated for or authorized.

Now, as we pick up this \$100,000 worth of employees, they do not need this for the coming year. If you make this amendment it lets this appropriation go to the service everywhere outside of Washington wherever it is needed, for inspectors and everything; but for the coming year it will not let them use these general lump-sum appropriations of \$2,000,000 in whole or in part in employing additional clerks in the Department here in Washington. It puts that Department precisely as every other department is.

Mr. WADSWORTH. Mr. Chairman, I call the attention of the committee to the language of the act on page 11:

And the Secretary of Agriculture is hereby authorized to use any part of this sum he may deem necessary or expedient, in such manner as he may think best, in the collection of information concerning live stock, dairy, and other animal products, and to prevent the spread of pleuro-pneumonia, blackleg, tuberculosis, sheep scab, glanders or farcy, hog cholera, and other diseases of animals, and for this purpose to employ as many persons in the city of Washington or elsewhere as he may deem necessary, and to expend any part of this sum in the purchase and destruction of diseased or exposed animals and the quarantine of the same whenever in his judgment it is essential to prevent the spread of pleuro-pneumonia, tuberculosis, or other diseases of animals from one State to another.

And so forth. The object is simply to give the Secretary that latitude which he thinks necessary for the proper discharge of the duties of the position.

Mr. CANNON. That is the very point. My object is to give the Secretary discretion also. I want to accomplish everything that the gentleman wants. It is a worthy appropriation, and a good one; but now that we pick up the \$103,000 worth of employees, clerks down here in the Department, I do not want them to take this lump sum and employ more clerks there.

Mr. WADSWORTH. That you must leave to the discretion of the Secretary of Agriculture. He must certainly have some discretion in the management of the details of his work.

Mr. CANNON. He has every discretion.

Mr. WADSWORTH. In emergencies, on the outbreak of contagious diseases in the country, he must have full power to act in accordance with his best judgment.

Mr. CANNON. Precisely.

Mr. WADSWORTH. If he wants to employ men here or elsewhere he must have that authority, and I can see no good reason why the present Secretary of Agriculture should not have that discretion. We have got to trust somebody in this world.

Mr. CANNON. You do not let the Secretary of the Treasury have that discretion.

Mr. WADSWORTH. That may be so.

Mr. CANNON. Or the Secretary of War, or the Secretary of the Interior, and you might employ 10,000 clerks from this lump sum, if you had money enough, and set them to writing down here in the Department, and that would not discover or cure any glanders or sheep scab.

Mr. WADSWORTH. Will the gentleman state whether he thinks the Secretary of Agriculture has abused the power which he has had under this clause of the law?

Mr. CANNON. I want to say right here and now that I have no attack to make upon the Secretary of Agriculture. He is a very worthy man, but by the terms of this bill, as the practice has grown up, and with some of the scientists by whom he is surrounded duplicating work, he might be compared in this service to a cat in the hot place without claws. [Laughter.] And whether he is the best man that ever lived or the poorest man, I want to put that Department here in the city of Washington upon all fours with every other department. And I turn to the gentleman now and ask him if a single additional clerk in that Department is necessary for next year? If so, move an amendment and put it in. What I object to is putting in \$2,000,000 in this general provision to employ clerks in the discretion of anybody.

Mr. WADSWORTH. Two million dollars.

Mr. CANNON. In the aggregate.

Mr. WADSWORTH. It is not in the aggregate.

Mr. CANNON. In all the bill.

Mr. WADSWORTH. The aggregate for the Bureau is only \$1,247,000.

Mr. CANNON. In your bill. This provision runs through all these lump-sum appropriations.

Mr. WADSWORTH. You can not put the Agricultural Department on all fours with any other department. Its work is all over the country, scattered from California to Maine, and from Canada to the Gulf States. I think the gentleman is entirely mistaken in saying that the Secretary should not have this leeway. He has never abused it, not to my knowledge. He must have some discretion in the management of the details of his Department.

Mr. CANNON. Undoubtedly. I do not interfere with that discretion. But I will say to the gentleman that without my amendment the gentleman, or any other gentleman, under stress of occasion, could go down to the Secretary and say, "I want your two clerks." "Oh," he says, "I do not need them." You say, "You have got the money, and you can put them on if you want to." Now, that is something that you can not do with any other department.

Mr. WADSWORTH. For this employment?

Mr. CANNON. I want him to have the discretion about disease and to carry on his Department everywhere outside of Washington; and we have given him all the sums he wants.

Mr. OLMSTED. Will the gentleman yield for a suggestion?

Mr. CANNON. Certainly.

Mr. OLMSTED. Is it your idea to exclude the employment of persons in Washington?

Mr. CANNON. Unless under specific appropriations.

Mr. OLMSTED. Now, this authorizes him to employ as many persons in the city of Washington and elsewhere as he may deem necessary. If you simply strike out "city of Washington and elsewhere," do you not leave him the discretion to use them wherever he pleases?

Mr. CANNON. I think not; but if the gentleman thinks it subject to that construction, I will modify my amendment.

Mr. WILLIAMS of Mississippi. If the gentleman will strike out the words "in the city of Washington," and then after the words "or elsewhere" insert "than in the city of Washington, as he may deem necessary," he will get what he wants.

Mr. CANNON. I will accept the suggestion, and modify the amendment in that way.

The CHAIRMAN. The gentleman will send up the modification of his amendment, so that the Clerk may make it.

Mr. CANNON. I will send it up.

The Clerk read as follows:

Strike out the words "in the city of Washington or" and insert, after the word "elsewhere," "than in the city of Washington."

Mr. CANNON. That is right.

Mr. SCOTT. A parliamentary inquiry. I should be glad to ask the gentleman whether this amendment, in his judgment, would preclude the Secretary of Agriculture from employing emergency assistants in the District of Columbia?

Mr. CANNON. Now; yes.

Mr. SCOTT. It would exclude him for their employment now?

Mr. CANNON. For the next year.

Mr. SCOTT. My understanding is that there is an abattoir

within the District of Columbia, outside of the city of Washington, where emergency inspections are likely to call for the services of the Department at any time.

Mr. CANNON. It does not interfere with that at all.

Mr. SCOTT. The gentleman's former answer to my question was that they could not be employed in the District outside of the city of Washington.

Mr. CANNON. I may not have understood the gentleman to say the District, but it would not interfere with the employment the gentleman has referred to, in my judgment.

Mr. SCOTT. Not interfere with the employment of men in the District of Columbia? I understood the gentleman from Illinois a few moments ago to say that there was a general law upon the statute books prohibiting the employment of anyone in the District of Columbia if a specific appropriation was not made. Now, if that understanding of the law is correct this amendment certainly, if enacted, will preclude the Secretary of Agriculture from employing anybody in the District of Columbia outside of the city.

Mr. CANNON. There is a specific appropriation for the employment of a veterinarian at \$1,600 and two veterinarians at \$1,400.

Mr. SCOTT. The gentleman thinks it will not interfere so far as concerns an emergency?

Mr. CANNON. In my judgment, outside the city of Washington and within the District this amendment does not interfere. That is my judgment about it. [Cries of "Vote!"]

The CHAIRMAN. The question is on the amendment of the gentleman from Illinois as modified.

The question was taken; and the Chairman announced that the yeas appeared to have it.

Mr. CANNON. Division, Mr. Chairman.

The committee divided; and there were—ayes 27, yeas 40.

So the amendment was rejected.

Mr. CANNON. Mr. Chairman, I make the point of order upon the following words: Line 24, page 13, "Provided further, Not to exceed \$10,000 of the amount hereby appropriated may be used for the purchase of additional land for Bureau of Experimental Stations."

Mr. WADSWORTH. That is subject to a point of order, Mr. Chairman, in the line of the previous rulings of the Chair.

Mr. HENRY of Connecticut. Mr. Chairman, I make the point of order that this is not subject to a point of order.

The CHAIRMAN. The Chair would like to ask the gentleman from New York if there is already a bureau established there where it is intended to purchase the land, and if the land lies adjacent to the station, and is necessary?

Mr. WADSWORTH. It is for the purchase of additional land to the station that is already established at Bethesda, Md.

Mr. CANNON. If they are authorized to do that under this appropriation without legislation, why do you put in the legislation? There is nothing here to show that it is adjacent, either.

Mr. LOUD. Mr. Chairman, the Chair has already ruled in two instances that appropriations to buy a piece of land would be subject to a point of order.

The CHAIRMAN. The gentleman from California is mistaken; the Chair has not so ruled.

Mr. LOUD. I think the Chair has determined that appropriations to purchase a piece of land would be subject to a point of order. Am I mistaken in that?

The CHAIRMAN. The gentleman from California is not correct if he means in all cases. The Chair has not ruled that appropriations to purchase a piece of land would necessarily be subject to a point of order. The Chair has ruled that where it is proposed to purchase a plot of ground separate and distinct from any that the Government now owns and to establish a new station, it is subject to a point of order; but where it is to purchase land adjacent to something the Government now owns, and which is necessary for the continuation of the work, the Chair has not so ruled.

Mr. LOUD. I think I understood the ruling of the Chair, and the Chair and I will not disagree, although I may not put it in precisely the same words that the Chair has. I do hope—although I have no interest in this matter one way or the other—I hope the Chair will not be led to rule that you can not purchase a new piece of land, and yet you can purchase an additional piece of land. I hope the Chair will look at the question, because whether it is right or wrong goes way beyond the feelings of any individual member.

Now, the Government may own a piece of land here, but the purchase of a piece of land adjacent to it, to my mind, would be as clearly subject to a point of order as it would to purchase a new piece. Otherwise you might continue the purchase of land from the city of Washington down the Potomac River to Newport News, if you made it a continuous purchase.

Of course I understand what rulings may be put before the

Chair—that this land is purchased as necessary to carry out an object already in process. I hope the Chair can see the distinction between the purchase of a new piece of land and the purchase of material or the employment of labor, or of the many other necessary things that would be necessary to purchase to carry out a work upon a piece of land already purchased. I hope the Chair will look at the question properly, because it goes beyond the measure before us now and will establish a precedent that will permit—on the Post-Office appropriation bill, if you please, where the Government may have a public building in a city—the purchase of a thousand acres adjacent to that. That is a radical supposition I know, and yet if it can purchase one foot additional, then it can purchase a thousand acres, if there be a thousand acres in that city, and the committee would be perfectly justified in reporting upon any appropriation bill a provision to purchase any amount of land that it might think necessary, because it already had a piece of land in that city.

Why, Mr. Chairman, what is the necessity for the public-building bill that you are about bringing in here? None whatever, to my mind, if we can put them on any appropriation bill we see fit. It is simply to purchase new pieces of land, some adjoining and some not adjoining, and what would be the distinction whether there was 1 or 2 feet between the piece of land that the Government now owns and that which it desires to purchase, or no distance if it was desired? It is a question of great and vital importance to my mind for the future of this House.

Mr. WILLIAMS of Mississippi. Mr. Chairman, it seems to me that just what the gentleman from California says that he hopes the Chair will not rule is a very well-expressed idea of what the Chair ought to rule, to wit, buying land for an entirely new project, like buying land to put up an additional building, buying land to add to an experimental station which is necessary for the proper continuance of the Government work which is to be done upon a farm for the improvement of the work there being done, ought to be in order. This is necessary for the progress of the work which is already instituted and established by existing law.

The CHAIRMAN. The Chair will say that this is not a new question. It has been ruled upon before. There are precedents where it has been held that the purchase and establishment of a distinct station where the Government has not one now is clearly subject to a point of order, but where it is necessary to purchase additional land that you may utilize and properly use a station that the Government has for any purpose it has been held that an appropriation of money to do that is not subject to a point of order.

The Chair has two cases before him. The purchase of adjoining land for a hospital already established was held to be a continuation of a public work and not subject to a point of order, while an amendment for acquiring a new site was ruled out.

The enlargement of the land and water rights of a fish-culture station was held to be a continuation of a public work and an appropriation for the same not subject to a point of order. The Chair thinks that that distinction has been maintained in the long line of precedents, and even the persuasive reasoning of the gentleman from California will not induce the Chair to go contrary to them and try to establish a new order of precedents.

Mr. LOUD. Mr. Chairman, I am familiar with all of those rulings, but I have always held that the rulings were wrong. [Laughter.] I was in hopes the Chair would see it in that way.

The CHAIRMAN. If it were an entirely new question, the Chair perhaps might see it that way, but in view of this distinction, well defined in many cases, the Chair thinks it will follow the precedents and overrule the point of order.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

The committee informally rose; and Mr. GROSVENOR having taken the chair as Speaker pro tempore, a message from the President of the United States, by Mr. CROOK, one of his secretaries, announced that the President had approved and signed bills of the following titles:

On April 26, 1902:

H. R. 12536. An act to further amend section 2399 of the Revised Statutes of the United States.

On April 28, 1902:

H. R. 10847. An act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1903, and for other purposes;

H. R. 3592. An act for the relief of Henry Lane;

H. R. 2919. An act granting a pension to Christiana Steiger;

H. R. 5102. An act granting a pension to Margaret Baker, formerly Maggie Ralston;

H. R. 6699. An act granting a pension to Esther A. C. Hardee;

H. R. 9018. An act granting a pension to Ida D. Greene;

H. R. 10091. An act granting a pension to Blanche Duffy;

H. R. 12101. An act granting a pension to William F. Gray;

H. R. 6111. An act granting an increase of pension to Theodore F. Collins;

H. R. 1326. An act granting an increase of pension to Thomas Thatcher;
 H. R. 1455. An act granting an increase of pension to Aaron S. Gatliff;
 H. R. 1486. An act granting an increase of pension to Charles A. Perkins;
 H. R. 1636. An act granting an increase of pension to James Austin;
 H. R. 2113. An act granting an increase of pension to Mary J. Clark;
 H. R. 2241. An act granting an increase of pension to Dorothy S. White;
 H. R. 2600. An act granting an increase of pension to Richmond L. Booker;
 H. R. 2981. An act granting an increase of pension to Thomas Findley;
 H. R. 2994. An act granting an increase of pension to Eliza J. Noble;
 H. R. 3264. An act granting an increase of pension to William B. Matney;
 H. R. 5258. An act granting an increase of pension to William Eastin;
 H. R. 5695. An act granting an increase of pension to John M. Seydel;
 H. R. 5910. An act granting an increase of pension to Reuben Wellman;
 H. R. 6080. An act granting an increase of pension to Mariah J. Anderson;
 H. R. 6081. An act granting an increase of pension to Frances T. Anderson;
 H. R. 6805. An act granting an increase of pension to Robert E. Stephens;
 H. R. 6895. An act granting an increase of pension to Richard P. Nichuals;
 H. R. 7369. An act granting an increase of pension to Perry H. Alexander;
 H. R. 8782. An act granting an increase of pension to Myron C. Burnside;
 H. R. 9415. An act granting an increase of pension to James Matthews;
 H. R. 9847. An act granting an increase of pension to Zachariah R. Saunders;
 H. R. 9986. An act granting an increase of pension to James Moore;
 H. R. 9999. An act granting an increase of pension to George W. Guinn;
 H. R. 10230. An act granting an increase of pension to Harrison C. Vore;
 H. R. 10841. An act granting an increase of pension to Margaret Hoefer;
 H. R. 11314. An act granting an increase of pension to Mary E. Pettit;
 H. R. 11578. An act granting an increase of pension to John Gaston;
 H. R. 11782. An act granting an increase of pension to Allen Hockenbury;
 H. R. 11924. An act granting an increase of pension to Lewis H. Delony;
 H. R. 12136. An act granting an increase of pension to Stephen May; and
 H. R. 11636. An act providing for the transfer of the title to the military reservation at Baton Rouge, La., to the Louisiana State University and Agricultural and Mechanical College.

AGRICULTURAL APPROPRIATION BILL.

The committee resumed its session.
 The Clerk read as follows:

BUREAU OF PLANT INDUSTRY.

Bureau of Plant Industry, salaries: One plant physiologist and pathologist, who shall be Chief of Bureau, \$3,500; 1 plant physiologist and pathologist, who shall be Chief of Bureau in absence of Chief, \$2,500; 1 botanist, \$2,500; 1 pomologist, \$2,500; 1 agrostologist, \$2,500; 1 assistant pathologist, \$1,800; 1 assistant botanist, \$1,800; 1 assistant pomologist, \$1,800; 1 assistant agrostologist, \$1,800; 1 chief clerk, \$1,800; 4 clerks class 3, \$6,400; 9 clerks class 2, \$12,600; 9 clerks class 1, \$10,800; 6 clerks, at \$1,000 each, \$6,000; 2 clerks, at \$900 each, \$1,800; 2 clerks, at \$840 each, \$1,680; in all, \$61,780.

Mr. CANNON. Mr. Chairman, I make a point of order upon the words "three thousand five hundred dollars" in line 8, after the words "Chief of Bureau." The statutory salary is \$3,000.

Mr. WADSWORTH. Mr. Chairman, this is a case where the committee saw fit in their judgment to report an increase of the salary of scientist holding this position. The clause is subject to a point of order.

The CHAIRMAN. The Chair suggests to the gentleman from New York [Mr. WADSWORTH], as this clause is subject to a point of order, that he ask unanimous consent to change \$3,500 to \$3,000, making the sum conform to the salary as provided by law.

Mr. WADSWORTH. Very well, I ask unanimous consent for that purpose.

The CHAIRMAN. In the absence of objection, the appropriation in line 8, page 14, will be amended so as to read "\$3,000" instead of "\$3,500."

There was no objection.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. TAYLER of Ohio having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 7018) for the relief of Robert J. Spottswood and the heirs of William C. McClellan, deceased.

The message also announced that the Senate had passed without amendment bill of the following title:

H. R. 966. An act for the relief of Edward R. Stackable, collector of customs for the district of Hawaii.

The message also announced that the Senate had agreed to the amendments of the House of Representatives to bills of the following titles:

S. 3321. An act granting a pension to Patrick J. Murphy; and S. 715. An act to provide for two additional associate justices of the supreme court of the Territory of Oklahoma, and for other purposes.

The message also announced that the Senate had agreed to the report of the committee of conference and had further insisted upon its amendments to the bill (H. R. 13031) to prohibit the coming into and to regulate the residence within the United States, its Territories, and all territory under its jurisdiction, and the District of Columbia, of Chinese and persons of Chinese descent, disagreed to by the House of Representatives, had agreed to the further conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. PLATT of Connecticut, Mr. DILLINGHAM, and Mr. CLAY as the conferees on the part of the Senate.

The message also announced that the Senate had passed bills of the following titles; in which the concurrence of the House of Representatives was requested:

S. 4642. An act granting an increase of pension to Anne Dowery; and

S. 312. An act providing that the circuit court of appeals of the eighth judicial circuit of the United States shall hold at least one term of said court annually in the city of Denver, in the State of Colorado, or in the city of Cheyenne, in the State of Wyoming, on the first Monday in September in each year.

The message also announced that the Senate had passed with amendment the bill (H. R. 11535) for the protection of game in Alaska, and for other purposes; in which the concurrence of the House of Representatives was requested.

AGRICULTURAL APPROPRIATION BILL.

The committee resumed its session.

The Clerk read as follows:

General expenses, Bureau of Plant Industry; vegetable, pathological, and physiological investigations: Investigating the nature of diseases injurious to fruits, fruit trees, grain, cotton, vegetable and other useful plants; experiments in the treatment of the same; the study of plant physiology in relation to crop production and the improvement of crops by breeding and selection; to investigate the diseases affecting citrus fruits, pineapples, and truck crops grown during the winter in the Southern States; to investigate cangras and other tannin-bearing plants; to investigate and report upon the diseases affecting plants on the Pacific coast; to originate or introduce improved varieties of fruits and vegetables in cooperation with the section of seed and plant introduction; to study the relation of soil and climatic conditions to diseases of plants, particularly with reference to the California vine diseases and diseases of the sugar beet, in cooperation with the Bureau of Soils, and for other purposes connected with the discovery and practical application of improved methods of crop production; to continue the work of originating, by breeding and selection, in cooperation with the other divisions of the Department and the experiment stations, new varieties of oranges, lemons, and other tropical and subtropical fruits more resistant to cold and disease and of better quality; varieties of wheat and other cereals more resistant to rust and smut and better suited to the various sections of this country; varieties of cotton more resistant to disease and of longer and better staple, and varieties of pears and apples more resistant to blight and better adapted for export; to investigate the causes of decay in forest timber and timber used for construction purposes, and to devise means for preventing the decay of the same; to investigate the practical application in agriculture of the fixation of atmospheric nitrogen by bacteria and other micro-organisms in soils and in the root tubercles of leguminous and other plants; to cultivate and distribute these nitrogen fixers and to determine the conditions most favorable to their development; the employment of investigators, local and special agents, clerks, assistants, and student scientific aids at an annual salary of \$480 each, and other labor required in conducting experiments in the city of Washington and elsewhere, and collating, digesting, reporting, and illustrating the results of such experiments; for gas and electric current; purchase of chemicals and apparatus required in the field and laboratory; necessary traveling expenses; the preparation of reports and illustrations; the rent and repairs of a building, not to exceed \$2,000 per annum; all necessary office fixtures and supplies, and for other expenses connected with the practical work of the investigations, \$100,000.

Mr. CANNON. I offer the amendment which I send to the desk.

The Clerk read as follows:

In lines 15 and 16, on page 16, strike out the words "in the city of Washington and" and insert, after the word "elsewhere," in line 16, the words "than in the city of Washington;" so as to read: "in conducting experiments elsewhere than in the city of Washington."

Mr. WADSWORTH. This is the same kind of an amendment which the gentleman from Illinois offered to the paragraph in regard to the Bureau of Animal Industry. I think the House understands the situation exactly, and it is unnecessary for me to say anything more.

Mr. CANNON. I wish to say only a word. A little while ago—

Mr. WILLIAMS of Mississippi. Before the question is debated, I want to make a point of order upon the amendment. I submit that it changes existing law.

Mr. CANNON. Not at all.

Mr. WILLIAMS of Mississippi. I make the point. It can be argued later.

Mr. CANNON. I am ready to argue it now. Wherein does it change existing law?

Mr. WILLIAMS of Mississippi. Because the existing law is just as this bill is.

Mr. CANNON. Oh, no.

Mr. WILLIAMS of Mississippi. This is the language of the previous appropriation.

The CHAIRMAN. The Chair will ask the gentleman from Mississippi [Mr. WILLIAMS] whether the clause which he cites in a previous appropriation bill does not expire with the termination of the year for which the appropriation was made?

Mr. WILLIAMS of Mississippi. Yes; I suppose it does.

The CHAIRMAN. This is for the year following.

Mr. CANNON. Mr. Chairman, these are, in effect, the same words which were voted down in regard to the Bureau of Animal Industry. I want to take the sense of the committee in regard to this Bureau of Plant Industry. I do not suppose that "sheep scab" can attack a plant in the city of Washington. I fancy that the other amendment was voted down because it was conceived that the Secretary of Agriculture ought to have the power to employ the lump sum appropriation to meet some animal disease in the city of Washington. If that was the reason, that reason does not apply in this case.

I undertake to say that you provided specifically in the previous appropriation for meeting all these diseases that it is necessary for the Department to meet. This lump sum ought not to be available to do anything more in that direction.

If this amendment be not adopted, observe what may take place. Some gentleman walks down to the Department and says, "Appoint me a clerk here in the Bureau of Plant Industry." He may be answered, "All the clerks specifically provided for have been appointed." Then he may turn to this indefinite appropriation of a lump sum and may say, "Oh, no; you may appoint all of these clerks that you please." Now, there is no such authority in any other Department, and there ought not to be in this.

Mr. HENRY of Connecticut. Mr. Chairman, the provision which the gentleman from Illinois proposes to strike out is even more important in reference to the Bureau of Plant Industry and the Bureau of Soils (to which we shall come shortly) than to the Bureau of Animal Industry. Under this provision scientific work is done all over the country by parties sent out from Washington during the summer months. That work is afterwards completed here in Washington. The employees come here and finish it up. To strike out these words, as proposed by the gentleman from Illinois, would certainly embarrass the work of these Bureaus.

Mr. GAINES of Tennessee. Mr. Chairman, what the gentleman from Connecticut [Mr. HENRY] has just said is accentuated by evidence which I hold in my hand—a letter from the Secretary of Agriculture, Mr. Wilson, which I will send to the desk and ask in a few moments to have read.

This letter was addressed to me a few days ago in reply to one I wrote Mr. Wilson since this bill was taken up. It shows that the reports of the employees of the Bureau of Soils are brought back, to use the words of Secretary Wilson, to be "digested at headquarters." The headquarters are in the city of Washington.

Employees of the Bureau of Soils are now going all over the country where tobacco is raised; they are bringing here to Washington specimens of the soil to be analyzed, so that the results may be embodied in their reports for the benefit of the farmers raising tobacco.

Now, if this amendment prevails—that is, if these words are stricken out, as suggested by the gentleman from Illinois [Mr. CANNON]—I should say this work will have to stop.

That department of the Bureau of Soils which is examining the tobacco fields of Illinois, Kentucky, Tennessee, Virginia, Connecticut, and Massachusetts and Pennsylvania—indeed, all over this country—will have to stop work, and yet, I am told, great

good will come from their work. Now, without saying more, I will ask the indulgence of the committee that this letter may be read, not only for the purpose of opposing the amendment of the gentleman from Illinois, but for the purpose of enlightening the House on what this "Bureau of Soils" is doing.

The Clerk read as follows:

WORK OF THE BUREAU OF SOILS.

DEPARTMENT OF AGRICULTURE, OFFICE OF THE SECRETARY.

BUREAU OF SOILS.

Washington, D. C., April 26, 1902.

SIR: Your letter of April 25 has been received in reference to the work of the Bureau of Soils in Tennessee. I beg to inform you that the Bureau of Soils had a party of experts in Tennessee for some time last summer and made a soil survey of the whole of Montgomery County, which is in the center of the tobacco district, covering an area of 547 square miles, or 350,210 acres.

The map showing the distribution of the different kinds of soils and the report describing these soils and the agricultural conditions and possibilities of the county are in the hands of the Public Printer now, to come out in the Report of the Field Operations of the Bureau of Soils for 1901, which will probably be ready for distribution next September.

Our soil-survey party was under the charge of Mr. J. E. Lapham, and worked in close harmony with the tobacco men of the district. They were particularly fortunate in having very cordial relations with Mr. M. W. Clark, of Clarksville, and a number of other leaf dealers and tobacco growers throughout the district.

That more was not heard of this work through the papers is accounted for by the fact that the Department works quietly in these matters until the results of the work are thoroughly digested and the economic points brought out by the survey are seen, when suggestions are made of improved methods that can be used, or of new crops and new interests that can be introduced. Our field parties are invariably instructed to go quietly about their work and to have as little as possible to say for publication while in the area, for their reports must all be reviewed and digested at headquarters before any authorized statements can be made as to the results of the work or as to recommendations.

In regard to the result of the survey, our experts have classified the soils in five types, viz:

Clarksville silt loam, covering 238,410 acres, or two-thirds of the county, is the most important soil, being the best tobacco land; adapted also to corn, wheat, grass, and other cereal and forage crops.

Clarksville clay loam, covering only about 27,430 acres of what is locally known as the "barrens," yields a fair grade of tobacco, but rather inferior to that grown on the Clarksville silt loam. It is adapted to corn and grass; also wheat. Drainage is not all that could be desired, and underdrainage would undoubtedly prove beneficial.

Clarksville stony loam, covering 66,450 acres, has a hilly and broken surface, and is generally unproductive. It produces an inferior grade of tobacco, but it is believed that this soil could be advantageously used for fruits of various kinds, and that it will find a high place for special industries which have been developed on soils of similar character in other localities.

Clarksville loam, covering 17,000 acres, occupies the river bottoms along the Cumberland and Red rivers. It is an excellent soil for corn and grass, but is not adapted to tobacco, and is not so valuable for wheat as some of the other soils. It is liable to overflow in times of general freshets.

Guthrie clay, covering 5,800 acres, occurs in basin-like depressions and low flat areas with poor drainage. The soil is cold and generally acid and poorly adapted to cultivated crops. It is suggested that with underdrainage the greater portion of this land could be improved and adapted to wheat and corn.

The results of the soil survey indicate that with improved methods of cultivation and selection of seed the tobacco grown in this district could be considerably improved. It also seems probable that more diversified farming would be beneficial, and that the fruit industry could be developed upon the Clarksville stony loam. Too little attention seems to be paid to the raising of provisions either for the markets or for family supplies.

It was originally intended to send a party to Tennessee this year to make a soil survey of the Pikesville sheet of the United States Geological Survey in Cumberland County, on the Cumberland plateau, but the pressure for the work of the soil survey has been so great that it is probable that this area can not be entered this season, as our appropriations will permit us to have out only about fifteen or sixteen parties, and we have had to arrange for these parties to work in about twenty-five States.

I inclose a statement of the assignment of the soil-survey parties for the field season of 1902, so that you can see where the work is to be done and how it has been necessary for us to assign parties to a State only for three or six months, instead of giving them the full field season, as economy of time and labor would suggest. This assignment has been tentatively made on the basis of my estimates, in which I have provided for an increase of 5 field parties over our last season's assignment.

The soil survey in Montgomery County was made as a basis for tobacco investigations such as we have been carrying on in the past in Connecticut, Massachusetts, Pennsylvania, Ohio, and Texas. It was my plan to increase the tobacco parties next year, and allowance was made for this in my estimates, but as these estimates have been considerably reduced by the committee I have abandoned all plans for extending the tobacco investigations, at least, on the 1st of July as I had intended, and it may be necessary to reduce somewhat the work of the soil survey.

We have made these soil-survey maps now in quite a number of the tobacco districts of the United States as preliminary to sending parties of tobacco experts to investigate the possibilities of improving the quality of the leaf grown, but the interests are so large and from so many sources that we can not hope to follow up closely the work of the soil survey with the tobacco parties unless our appropriations are considerably increased.

These tobacco parties cost about \$5,500 apiece, and the cigar interests, manufacturing tobacco interests, bright tobacco interests, and the export tobacco interests, are all clamoring for recognition. It rests with Congress entirely as to how rapidly this work can be developed, as we are ready now with a nucleus of trained observers to undertake the development of these lines of research to any extent that Congress may authorize.

In reference to your suggestion that the South has not benefited by the work of the soil survey, I beg to inform you that the work was carried on last year in Virginia, North Carolina, Tennessee, Georgia, Mississippi, Louisiana, and Texas. Soil maps have been prepared for all of those States, and you will see from the inclosed assignment card that work is planned this year in Virginia, North Carolina, Kentucky, South Carolina, Georgia, Florida, Alabama, Mississippi, Texas, and Arkansas.

We have tried to develop the work of the Bureau of Soils, as of the other bureaus and divisions, without regard to sectional or State lines, giving

regard only to the possibilities of doing efficient and practical work for the country where, in our opinion, we can do the most good.

Very respectfully,

Hon. JOHN W. GAINES,
House of Representatives.

JAMES WILSON, Secretary.

During the reading of the foregoing letter the following proceedings occurred:

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. GAINES of Tennessee. Mr. Chairman, I ask unanimous consent that the remaining portion of the letter be read.

Mr. WILLIAMS of Mississippi. I would like to inquire who wrote the letter?

Mr. GAINES of Tennessee. Mr. James Wilson, Secretary of Agriculture.

Mr. WILLIAMS of Mississippi. To whom did he write it?

Mr. GAINES of Tennessee. To me.

Mr. WILLIAMS of Mississippi. I think, Mr. Chairman, that it ought to be read.

Mr. GAINES of Tennessee. Now, Mr. Chairman, just a word—

The CHAIRMAN. The time of the gentleman has expired. Mr. GAINES of Tennessee. I move to strike out the last word. All this work has been done and is being done and it has to be all brought back here for final analysis to the city of Washington, and if the amendment proposed by the gentleman from Illinois prevails, it will result in destroying the whole undertaking of this Bureau for next year. We should see what this Bureau can do before we strike at it or repeal the law.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent that his time be extended, so that the Clerk may finish reading the letter. Is there objection?

There was no objection.

The Clerk then concluded the reading of the letter.

Mr. GARDNER of New Jersey. Mr. Chairman, I rise simply for the purpose of making an inquiry at this time.

Mr. WADSWORTH. I will state to the gentleman from New Jersey that there is a motion pending. Let us dispose of that first, and then I shall be glad to give any information in my power.

Mr. GARDNER of New Jersey. Very well.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois.

The question was taken, and the amendment rejected.

Mr. GARDNER of New Jersey. Mr. Chairman, there were representatives of sundry associations, particularly of the American Cranberry Growers' Association, here to secure for their specific industry, as I understand it, special appropriations, particularly the Cranberry Growers' Association desiring a specific item of \$5,000 for the purpose of investigating the rot in that fruit. I would like to inquire if the committee took into consideration that specific request, and if the lump sum appropriated of \$100,000 was considered large enough to cover that item so that that work might be done.

Mr. WADSWORTH. I will state to the gentleman that the matter of the diseases of the cranberry was brought before the committee, and we thought the language in the lump-sum appropriation was broad enough to cover the diseases of all plants. The lump-sum appropriation of \$100,000 was deemed sufficient to cover everything that might come before the Department.

Mr. GARDNER of New Jersey. It was not so much the breadth of the language as the breadth of the appropriation that I inquired about.

Mr. WADSWORTH. This sum is raised \$38,000 from that of last year.

Mr. GARDNER of New Jersey. And was considered by the committee large enough to cover that item?

Mr. WADSWORTH. Yes.

The Clerk read as follows:

Arlington experimental farm: To enable the Secretary of Agriculture to continue the necessary improvements to establish and maintain a general experimental farm and agricultural station on the Arlington estate, in the State of Virginia, including employment of labor in the city of Washington or elsewhere, in accordance with the provisions of the act of Congress approved April 18, 1900, entitled "An act to set apart a portion of the Arlington estate for experimental agricultural purposes, and to place said portion under the jurisdiction of the Secretary of Agriculture and his successors in office," which act shall be construed to confer upon the Secretary of Agriculture and his successors jurisdiction over the land in the Arlington reservation lying between the Georgetown and Alexandria road and the old bed of the Chesapeake and Ohio Canal and extending from the south line of the said reservation to a line beginning at a point on the east side of the public road and running thence at right angles with said road to the said canal bed, \$15,000.

Mr. WADSWORTH. Mr. Chairman, I move to amend by striking out, in line 5, all after the word "over" down to and including the word "bed," in line 10, and inserting the following, which I send to the Clerk's desk.

It seems that the description of the land in the bill is not correct. We have now quoted from the original law which set aside

that portion of the Arlington estate to the care of the Secretary of Agriculture.

The CHAIRMAN. The gentleman from New York moves an amendment, which the Clerk will report.

The Clerk read as follows:

Strike out all after the word "over," in line 5, page 22, down to and including the word "bed," in line 10, and insert in lieu thereof the following:

"So much of the Government land in Alexandria County, Va., known as the Arlington estate as lies east of the public road leading from the Aqueduct Bridge to Alexandria, Va., otherwise called the Georgetown and Alexandria road, and between said road to the Potomac River, containing about 400 acres, with the exception, however, of a strip of land as follows: Commencing at the point where the Georgetown and Alexandria road enters the Arlington estate on the north side; thence along said road 625 yards; thence, in a line perpendicular to said road, to the Chesapeake and Ohio Canal; thence along said canal to the north line of the reservation."

The amendment was agreed to.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. GILLET of Massachusetts having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. PARKINSON, one of its clerks, announced that the Senate had agreed to the amendments of the House of Representatives to the amendment of the Senate numbered 9 to the bill (H. R. 9206) to make oleomargarine and other imitation dairy products subject to the laws of any State or Territory or the District of Columbia into which they are transported, and to change the tax on oleomargarine, and to amend an act entitled "An act defining butter, also imposing a tax upon and regulating the manufacture, sale, importation, and exportation of oleomargarine," approved August 2, 1886.

The message also announced that the Senate had passed the following resolution; in which the concurrence of the House of Representatives was requested:

Senate concurrent resolution 41.

Resolved by the Senate (the House of Representatives concurring), That there be printed and bound in cloth 8,500 additional copies of Senate Document No. 282, Fifty-sixth Congress, second session, being the report of the Commissioner-General for the United States to the International Universal Exposition, Paris, 1900, in 6 volumes, 1,000 of which shall be for the use of the Senate, 2,000 for the use of the House of Representatives, and 500 for distribution by the office of the Commissioner-General.

The message also announced that the Senate had passed the following resolution:

Resolved, That the Secretary be directed to request the House of Representatives to return to the Senate the bill (S. 312) providing that the circuit court of appeals of the eighth judicial circuit of the United States shall hold at least one term of said court annually in the city of Denver, in the State of Colorado, or in the city of Cheyenne, in the State of Wyoming, on the first Monday in September in each year.

AGRICULTURAL APPROPRIATION BILL.

The committee resumed its session.

The Clerk read as follows:

And the Secretary of Agriculture is hereby directed to expend the said sum, as nearly as practicable, in the purchase and distribution of such valuable seeds, bulbs, trees, shrubs, vines, cuttings, and plants, the best he can obtain at public or private sale, and such as shall be suitable for the respective localities to which the same are to be apportioned, and in which same are to be distributed as hereinafter stated, and such seed so purchased shall include a variety of vegetable and flower seeds suitable for planting and culture in the various sections of the United States. An equal proportion of two-thirds of all seeds, bulbs, trees, shrubs, vines, cuttings, and plants shall, upon their request, after due notification by the Secretary of Agriculture that the allotment to their respective districts is ready for distribution, be supplied to Senators, Representatives, and Delegates in Congress for distribution among their constituents, or mailed by the Department upon the receipt of their addressed franks; such franks to be furnished by the Public Printer as is now done for document slips with the names of Senators, Members, and Delegates printed thereon, and the words "United States Department of Agriculture, Congressional Seed Distribution," or such other phraseology as the Secretary may direct; and the person receiving such seeds shall be requested to inform the Department of the results of the experiments therewith: *Provided*, That all seeds, bulbs, plants, etc., emanating from the Department of Agriculture shall, when properly presented for mailing, be transmitted through the mails free without limit of weight, the same as printed or written official matter is now carried: *Provided also*, That all seeds, bulbs, plants, and cuttings herein allotted to Senators, Representatives, and Delegates in Congress for distribution remaining uncalled for on the 1st of April shall be distributed by the Secretary of Agriculture, giving preference to those persons whose names and addresses have been furnished by Senators and Representatives in Congress and who have not before, during the same season, been supplied by the Department: *And provided also*, That the Secretary shall report, as provided in this act, the place, quantity, and price of seeds purchased, and the date of purchase; but nothing in this paragraph shall be construed to prevent the Secretary of Agriculture from sending seeds to those who apply for the same. And the amount herein appropriated shall not be diverted or used for any other purpose but for the purchase, propagation, and distribution of valuable seeds, bulbs, trees, shrubs, vines, cuttings, and plants: *Provided, however*, That upon each envelope or wrapper containing packages of seeds the contents thereof shall be plainly indicated, and the Secretary shall not distribute to any Senator, Representative, or Delegate seeds entirely unfit for the climate and locality he represents, but shall distribute the same so that each member may have seeds of equal value, as near as may be, and the best adapted to the locality he represents: *Provided also*, That the seeds allotted to Senators and Representatives for distribution in the districts embraced within the twenty-fifth and thirty-fourth parallels of latitude shall be ready for delivery not later than the 10th day of January: *Provided further*, That \$20,000 of the sum thus appropriated, or so much thereof as the Secretary of Agriculture shall direct, may be used to collect, purchase, test, propagate, and distribute rare and valuable seeds, bulbs, trees, shrubs, vines, cuttings, and plants from foreign countries for experiments with reference to their introduction into this country; and the seeds, bulbs, trees, shrubs, vines,

cuttings, and plants thus collected, purchased, tested, and propagated shall not be included in general distribution, but shall be used for experimental tests to be carried on with the cooperation of the agricultural experiment stations, \$270,000.

Mr. LOUD. Mr. Chairman, I desire to raise a point of order against the words, beginning with the word "provided," in line 8, page 24, down to and including the word "carried," in line 13. I think the chairman of the committee admits that it is subject to the point of order.

Mr. WADSWORTH. Mr. Chairman, I admit the point of order, but I also would like to strike out the provision on its merits, because since inserting it I have received a letter from the Postmaster-General which convinces me that the item should not have been inserted in the bill. I will not detain the committee by reading that letter, but I should like to have it printed in the RECORD.

The CHAIRMAN. The gentleman from New York asks unanimous consent to print a letter in the RECORD. Is there objection?

There was no objection.

The letter is as follows:

POST-OFFICE DEPARTMENT,
OFFICE OF THE POSTMASTER-GENERAL,
Washington, D. C., April 24, 1902.

Hon. JAMES W. WADSWORTH,
Chairman of Committee on Agriculture,
House of Representatives.

SIR: I have the honor to call your attention to the following proviso found upon page 24 of House bill (H. R. 13895) reported from the Committee on Agriculture on the 21st instant, namely:

"Provided, That all seeds, bulbs, plants, etc., emanating from the Department of Agriculture shall, when properly presented for mailing, be transmitted through the mails free without limit of weight, the same as printed or written official matter is now carried."

As this provision, if enacted into law, will change existing statute (modifying as it does the limit of weight of mail matter of the fourth class) and materially affect the conduct of the service in the matter of the receipt and transportation of articles which may be affected by it, I deem it advisable to call attention particularly to the matter and to the changes in the law and the practice of the Department which have resulted in the present status, and to point out to you that the enactment of this provision would be a reversion to conditions which this Department has at all times endeavored to relieve itself from, and which relief was partially secured by the enactment of the existing statute upon the subject.

Section 3874, Revised Statutes, limits the weight of mail matter as follows: "No package weighing more than 4 pounds shall be received for conveyance by mail, except books published or circulated by order of Congress."

Under this statute the postal service was not burdened by the receipt and transmission of matter which either in its nature or in its bulk was more adapted to transportation by freight than by mail.

By the act of March 3, 1879 (20 Stats., 360), this section was amended so as to declare the limit of weight to be 4 pounds for each package, "except in case of single books weighing in excess of that amount, and except for books and documents published or circulated by order of Congress or official matter emanating from any of the departments of the Government or from the Smithsonian Institution."

The exceptions to the 4-pound limit in the above amendment were clearly defined, except with reference to "official matter." Inasmuch as it was in the province of each department of the Government to determine for itself what was to be regarded by it as its "official matter," there was considerable difference of opinion between the Post-Office Department and other Executive Departments with reference to the proper construction of that portion of the amendment, the Post-Office Department desiring to limit the construction to apply to such matter as is generally known or conceded to be mail matter; that is, matter that would naturally be sent by mail, while other Executive Departments inclined to include within the meaning of the term matter which either by its nature or by its bulk and weight was more properly the subject for transportation by freight.

This resulted in much embarrassment and inconvenience to the postal service, and upon proper representations relative thereto, made by this Department to the Committees on Post-Offices and Post-Roads in the two Houses of Congress, that body amended the then existing provision by the enactment of June 8, 1896, "An act to regulate mail matter of the fourth class." (29 Stats., 262.) This act, so far as pertinent to this inquiry, reads as follows:

"That mailable matter of the fourth class shall embrace all matter not embraced in the first, second, or third class which is not in its form or nature liable to destroy, deface, or otherwise damage the contents of the mail bag or harm the person of anyone engaged in the postal service, and is not above the weight provided by law, which is hereby declared to be not exceeding 4 pounds for each package thereof, except in case of single books weighing in excess of that amount, and except for books and documents published or circulated by order of Congress, or printed or written official matter emanating from any of the departments of the Government or from the Smithsonian Institution."

While this act did not divest matter which was obviously of a character more related to freight than to mail of its classification as mail matter, it did have the effect of limiting the matter which can be transported in the mails in packages exceeding 4 pounds in weight to "printed or written official matter emanating from any department of the Government or from the Smithsonian Institution."

The practice under this statute has resulted largely in relief of the postal service from the receipt and transmission by mail of large and bulky articles sent out by the Executive Departments, though it is still considerably inconvenienced by the frequent offer for transmission of such matter as seeds in larger packages than authorized by the statute which has been the subject of much correspondence between this Department and the Department of Agriculture.

Your attention is called to the fact that if the provision in the bill under consideration should become law it will, as far as the subject-matter involved is concerned, undo the results of the past efforts of this Department in the direction of a better classification and definition of fourth-class mail matter and the facilitation of the handling and prompt dispatch of other mails by the elimination of large and bulky packages.

Not only will this be the result, but the general terms used in the provision are so broad, as well as indefinite in some respects, that their interpretation by the Agricultural Department in their most liberal sense will subject the postal service to all the old abuses with reference to the transportation of implements, equipments, etc., from which the postal service suffered so much before the enactment of 1896. This Department deems it very important that this step be not taken.

The postal service does not propose to receive and transport matter which is, by its nature or by reason of the manner of its presentation, more properly classed as freight, nor has it the facilities for receiving or handling the same. It is not deemed expedient to make any exception in favor of any one class of articles, nor of any one department in the matter of the limit of weight of articles presented for handling in the mails.

It might be suggested that in the absence of a custom determining the same it is questionable whether such matter as is under consideration can properly be termed mail matter in any event. What is mail matter or official mail matter, within the intention of this statute, has not been defined otherwise than by a custom. In the absence of statute or custom it might well be contended that it should not include any matter excepting that which would naturally be sent by mail under ordinary circumstances by the public, and should not apply to articles that, by their nature or by reason of their bulk, can more properly be sent by freight and handled by railroad employees who are supplied with appliances, such as trucks, etc., for the handling of freight matter.

It has for some time been the purpose of this Department to eliminate from the mails, as far as practicable, all matter originating from its own service or its branches which must be presented and transported in bulky packages, and to provide for its transportation by the ordinary means of freight. In pursuance of this policy, and in accordance with statutory authorization, arrangements have been made for the transportation of postal cards and stamped envelopes between the postal card and the stamped envelope agencies and the large cities, and for the transportation of mail equipment between the larger post-offices of the country.

It would seem to be very proper for Congress to authorize the transportation of large and bulky packages and shipment of the matter now under consideration in the same manner as it has authorized the transportation by freight of the matter above referred to instead of providing for a manner of shipment through the mails, which will, in the opinion of this Department, seriously inconvenience the conduct of the postal service.

Very respectfully,

H. C. PAYNE, Postmaster-General.

Mr. LOUD. I have no objection to the gentleman striking out the provision.

The CHAIRMAN. Is the point of order withdrawn?

Mr. LOUD. I do not like to withdraw the point of order and then have the chairman of the committee beat me. I think it had better go out on the point of order.

Mr. WADSWORTH. Very well; let it go out on the point of order.

The CHAIRMAN. The Chair sustains the point of order made by the gentleman from California [Mr. LOUD].

Mr. ROBERTS. Mr. Chairman, I offer the amendment which I send to the Clerk's desk.

The Clerk read as follows:

In line 6, page 24, after the word "direct," insert:

"Provided, That the relative proportion of vegetable, flower, and other seeds allotted to any district shall be determined by the Secretary of Agriculture, in accordance with the written request of the Senator, Representative, or Delegate entitled to the same, filed with him at least sixty days prior to the time of advertisement for the purchase of such seeds: Provided, however, That the total cost of the seeds furnished under such written request shall not exceed the cost of the seeds that would otherwise be allotted to such Senator, Representative, or Delegate in Congress; nor shall the allotment of flower seeds of any other district be thereby curtailed."

Mr. ROBERTS. Mr. Chairman, as a part of my remarks, and to be taken out of my time, I desire the following document to be read by the Clerk.

The Clerk read as follows:

ODE TO CONGRESSMAN ROBERTS.

Oh, ROBERTS, ERNEST ROBERTS, in D. C. far away,
I have received from you a letter, or a package, I should say,
And puzzled am I greatly to find out how I may
Thank you for this favor, which came postpaid to-day.

Did you mistake my calling, and, not meaning any harm,
Think that I was toiling upon some backwoods farm
Where I needed seed for onions, for cucumbers, and beans,
And a good receipt for raising prime dandelion greens?

I wonder if you are obliged to send these seeds by law;
The seed for grape and rye and corn, the first I ever saw.
If not, to do it would be a parliamentary abuse;
Then send the kind of seed that would raise them in the juice.

Next time you send me samples of seed from Uncle Sam—
Things for which I have no use and do not care a —
(Spinach, greens, and kidney beans will never cure our ills)—
Send us seed for raising Carter's little liver pills.

But, oh, an afterthought has struck me, and it fills my soul with grief;
Did you send them to me because of the advanced price of beef,
Thinking it had gone up quite beyond my means
And that hereafter I would have to live on pork and beans?

Oh, ROBERTS, ERNEST ROBERTS, I don't intend to die yet,
But if beef goes up so high that I can't afford to buy it,
And, through rigid economy, I am obliged to diet,
I will get a hoe and dig a hole and plant your stuff and try it.

Oh, ROBERTS, ERNEST ROBERTS, at these lines don't take alarm,
But send your seeds to some poor cuss who's living on a farm.
I never was in favor of making garden truck my feed,
While there are lots of folks who are in need of seed.

Oh, ROBERTS, ERNEST ROBERTS, in D. C. far away,
I hardly know what to do with the stuff I got to-day.
I am fearful, should I eat it, that I would have a cramp;
I almost wish you had inclosed a return stamp.

Mr. WADSWORTH. Mr. Chairman, I think we had better rise and consider that overnight.

Mr. ROBERTS. I have two minutes.

I want to say to the members of this committee that the sentiment in that rhyme portrays quite faithfully the state of mind of constituents in the city districts who get packages of vegetable seeds. I want to send to the Clerk's desk and ask to have read a

very short letter, which will give the other side—not the vegetable side, but the flower side.

The Clerk read as follows:

LYNN, MASS., April 16, 1902.

Mr. ROBERTS.

DEAR SIR: I am writing to ask you if you would kindly send me some flower seeds. I am 12 years old and go to the Burrill Grammar School, Lynn. I am in the sixth grade. My teacher's name is Miss Moran.

I am very fond of flowers, and am going to have a plot of ground for myself this summer.

I hope to have a great many flowers, so that I can give them to sick people.

I remain, yours, truly,

JESSIE BRITNER.

77 Wyman Street, Lynn, Mass.

Mr. ROBERTS. Now, Mr. Chairman, I suggest that these two documents present as concisely and as tersely as can be presented the reasons why city members should have the privilege of indicating to the Secretary of Agriculture, a sufficient time in advance of his purchase of seeds, the kinds they desire, either of flower or vegetable. I will say for the information of the committee that the Secretary of Agriculture told me a year ago, when this bill was under discussion, that the money cost of a package of vegetable seeds was greater than a package of flower seeds; so if the committee should see fit to adopt the amendment I have offered, it will not at all interfere with any member on this floor, and it would also be something in the way of saving to the Government in the matter of the expense for seeds.

The CHAIRMAN. The time of the gentleman has expired.

Mr. WADSWORTH. I have no objection, if the committee wishes to consider the amendment.

Mr. RICHARDSON of Tennessee and several others. Let us rise.

Mr. WADSWORTH. I move that the committee do now rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. POWERS of Maine, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 13895, and had come to no resolution thereon.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one its clerks, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 13031) to prohibit the coming into and to regulate the residence within the United States, its Territories, and all territory under its jurisdiction, and the District of Columbia, of Chinese and persons of Chinese descent.

RETURN OF BILL TO SENATE.

The SPEAKER laid before the House the following request of the Senate; which was read, considered, and agreed to:

IN THE SENATE OF THE UNITED STATES, April 23, 1902.

Resolved, That the Secretary be directed to request the House of Representatives to return to the Senate the bill (S. 312) providing that the circuit court of appeals of the eighth judicial circuit of the United States shall hold at least one term of said court annually in the city of Denver, in the State of Colorado, or in the city of Cheyenne, in the State of Wyoming, on the first Monday in September in each year.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. MORRELL for two days, on account of death in his family.

CHINESE-EXCLUSION BILL.

Mr. HITT. Mr. Speaker, I call up the conference report on the Chinese bill that came from the Senate a moment since, and ask to have it considered by the House.

The SPEAKER. The gentleman from Illinois calls up the conference report.

Mr. HITT. I submit the statement of the managers on the part of the House.

The SPEAKER. Is there a statement?

Mr. HITT. There is.

The SPEAKER. Does the gentleman desire the report and statement read?

Mr. HITT. Yes.

The report of the committee of conference was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13031) to prohibit the coming into and to regulate the residence within the United States, its Territories, and all territory under its jurisdiction, and the District of Columbia, of Chinese and persons of Chinese descent, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate, and agree to the same with an amendment as follows: In lieu of the matter inserted by said Senate amendment insert the following:

"That all laws now in force prohibiting and regulating the coming of Chinese persons and persons of Chinese descent into the United States, and the residence of such persons therein, including sections 5, 6, 7, 8, 9, 10, 11, 13, and 14, of the act entitled "An act to prohibit the coming of Chinese laborers into the United States," approved September 13, 1888, be, and the same are

hereby, reenacted, extended, and continued so far as the same are not inconsistent with treaty obligations, until otherwise provided by law, and said laws shall also apply to the island territory under the jurisdiction of the United States, and prohibit the immigration of Chinese laborers not citizens of the United States from such island territory to the mainland territory of the United States, whether in such island territory at the time of cession or not, and from one portion of the island territory of the United States to another portion of said island territory: *Provided, however,* That said laws shall not apply to the transit of Chinese laborers from one island to another island of the same group, and any islands within the jurisdiction of any State or the District of Alaska shall be considered a part of the mainland under this section.

"SEC. 2. That the Secretary of the Treasury is hereby authorized and empowered to make and prescribe, and from time to time change such rules and regulations not inconsistent with the laws of the land as he may deem necessary and proper to execute the provisions of this act and of the acts hereby extended and continued, and of the treaty of December 8, 1894, between the United States and China, and, with the approval of the President, to appoint such agents as he may deem necessary for the efficient execution of said treaty and said acts.

"SEC. 3. That nothing in the provisions of this act or any other act shall be construed to prevent, hinder, or restrict any foreign exhibitor, representative, or citizen of any foreign nation, or the holder, who is a citizen of any foreign nation, of any concession or privilege from any fair or exposition authorized by act of Congress from bringing into the United States, under contract, such mechanics, artisans, agents, or other employees, natives of their respective foreign countries, as they or any of them may deem necessary for the purpose of making preparation for installing or conducting their exhibits, or of preparing for installing or conducting any business authorized or permitted under or by virtue of or pertaining to any concession or privilege which may have been or may be granted by any said fair or exposition in connection with such exposition, under such rules and regulations as the Secretary of the Treasury may prescribe, both as to the admission and return of such person or persons.

"SEC. 4. That it shall be the duty of every Chinese laborer, other than a citizen, rightfully in and entitled to remain in any of the insular territory of the United States (Hawaii excepted) at the time of the passage of this act to obtain within one year thereafter a certificate of residence in the insular territory wherein he resides, which certificate shall entitle him to residence therein, and upon failure to obtain such certificate as herein provided he shall be deported from such insular territory; and the Philippine Commission is authorized and required to make all regulations and provisions necessary for the enforcement of this section in the Philippine Islands, including the form and substance of the certificate of residence, so that the same shall clearly and sufficiently identify the holder thereof and enable officials to prevent fraud in the transfer of the same: *Provided, however,* That if said Philippine Commission shall find that it is impossible to complete the registration herein provided for within one year from the passage of this act said Commission is hereby authorized and empowered to extend the time for such registration for a further period not exceeding one year."

And the Senate agreed to the same.

R. R. HITT.

J. B. PERKINS.

CHAMP CLARK.

Managers on the part of the House.

O. H. PLATT.

WM. P. DILLINGHAM.

A. S. CLAY.

Managers on the part of the Senate.

The statement of the House conferees was read, as follows:

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to H. R. 13031 submit the following written statement of the effect of the action agreed upon and recommended in the accompanying conference report.

The conference report as read indicates exactly how the statute will read if enacted as agreed upon.

R. R. HITT.

J. B. PERKINS.

CHAMP CLARK.

Mr. HITT. Mr. Speaker, the House is so familiar with the question of Chinese exclusion and all that related to it in the details of the House bill so long debated on this floor that I will not detain members in explanations, except to say that the Senate amendment or substitute endeavored to do in brief what the House had labored to accomplish by a very long bill—to continue and reenact the various existing laws excluding Chinese laborers. In the numerous discussions in conference over this disagreement between the two Houses we who were House conferees objected to a condition which the Senate had inserted, limiting the time to which these laws should be extended and in force to the year 1904, the date of the termination of the existing treaty, or to 1914, the time to which that treaty might be extended; and we also objected to other minor provisions, which I will not go over.

That time limit was unsatisfactory, especially to the gentlemen on this floor representing those western parts of the United States, where the Chinese laborers are found in great numbers. Your conferees have steadfastly resisted the incorporation of those words into this law, and to-day the Senate conferees, after many conferences day after day, yielded, so that the only words left of this limitation, after the declaration of the continuance of the existing laws, are that they shall extend so far as is not inconsistent with treaty obligation until otherwise provided by law.

This measure further prohibits immigration of Chinese laborers into our insular possessions, and the passage of the Chinese from the islands to our mainland is forbidden.

The provision in the Senate bill requiring Chinese laborers in the Philippines to procure certificates through a system of United States officers delegated and appointed from Washington is stricken out and the provision in the House bill is adopted, that all this should be done by those appointed by the Philippine Commission, already on the ground. This, in brief, is the short

Chinese-exclusion bill on which we have agreed and which I think all gentlemen who have kept pace with this long discussion will agree is the essence of all that was desired and needed and substantially that for which the House contended.

The SPEAKER. The question is on agreeing to the conference report.

The question was considered; and the conference report was agreed to.

ENROLLED BILLS SIGNED.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

- H. R. 11112. An act granting an increase of pension to S. Agnes Young;
- H. R. 13066. An act granting an increase of pension to Obed D. Jasper;
- H. R. 12550. An act granting an increase of pension to James E. Horton;
- H. R. 6205. An act granting an increase of pension to Richmond M. Curtis;
- H. R. 4426. An act granting an increase of pension to Daniel Sims;
- H. R. 2660. An act granting an increase of pension to Henry Runnebaum;
- H. R. 2599. An act granting an increase of pension to John Hall;
- H. R. 282. An act granting an increase of pension to John O'Rourke;
- H. R. 6356. An act granting an increase of pension to William G. Taylor;
- H. R. 5789. An act granting an increase of pension to Joseph Seithen;
- H. R. 4543. An act granting an increase of pension to George W. Parker;
- H. R. 10361. An act granting an increase of pension to Alex. Scott;
- H. R. 9144. An act granting an increase of pension to James R. Wilson;
- H. R. 8562. An act granting an increase of pension to Sarah Ciples, now Vandemark;
- H. R. 8562. An act granting an increase of pension to Sarah Ciples, now Vandemark;
- H. R. 7116. An act granting an increase of pension to Alex. F. McConnell;
- H. R. 11091. An act granting an increase of pension to James Cooley;
- H. R. 9952. An act granting a pension to William P. Featherstone;
- H. R. 9370. An act granting an increase of pension to John J. Wolfe;
- H. R. 12504. An act granting a pension to James B. Hashbargar;
- H. R. 11977. An act granting a pension to Sidney Cable; and
- H. R. 11168. An act granting an increase of pension to Isaac Phipps.

The SPEAKER announced his signature to enrolled bills of the following titles:

- S. 4969. An act granting an increase of pension to Abbie George;
- S. 4749. An act granting an increase of pension to Eunice A. Smith;
- S. 4740. An act granting an increase of pension to Maria L. Godfrey;
- S. 4658. An act granting an increase of pension to Charles I. Rand;
- S. 4650. An act granting an increase of pension to Delania Ferguson;
- S. 4619. An act granting an increase of pension to Clifford Neff Fyffe;
- S. 4535. An act granting an increase of pension to Lydia M. Granger;
- S. 4514. An act granting an increase of pension to Mary Beals;
- S. 4381. An act granting an increase of pension to John S. Robinson;
- S. 4335. An act granting an increase of pension to John Brown;
- S. 4111. An act granting an increase of pension to Abner J. Pettee;
- S. 4056. An act granting an increase of pension to Minerva Nelson;
- S. 3991. An act granting an increase of pension to Waity West;
- S. 3820. An act granting an increase of pension to Warren B. Nudd;
- S. 4042. An act granting an increase of pension to William H. Norton;
- S. 3672. An act granting an increase of pension to James Scanell;
- S. 3634. An act granting an increase of pension to Elizabeth A. Capehart;

- S. 3633. An act granting an increase of pension to Samuel L. Leffingwell;
- S. 3519. An act granting an increase of pension to Charles L. Cummings;
- S. 3472. An act granting an increase of pension to Zeno T. Griffin;
- S. 3334. An act granting an increase of pension to Thomas E. James;
- S. 3321. An act granting a pension to Patrick J. Murphy;
- S. 3252. An act granting an increase of pension to Jesse W. Bice;
- S. 3217. An act granting an increase of pension to Charles Dixon;
- S. 3108. An act granting an increase of pension to Inez E. Perrine;
- S. 2971. An act granting an increase of pension to Silas D. Strong;
- S. 2943. An act granting an increase of pension to Thomas S. Rowan;
- S. 2805. An act granting an increase of pension to Anna L. Cory;
- S. 2738. An act granting an increase of pension to James W. Hankins;
- S. 2533. An act to remove the charge of desertion against Frederick Schulte or Schuldt;
- S. 2455. An act granting an increase of pension to Genevieve Almira Sprigg Ludlow;
- S. 2346. An act granting a pension to Amanda C. Bayliss;
- S. 2305. An act granting an increase of pension to Lemuel Grove;
- S. 1881. An act to correct the military record of Peter Connell;
- S. 1814. An act granting an increase of pension to Anna E. Luke;
- S. 1643. An act granting an increase of pension to Ellen J. Clark;
- S. 1638. An act granting a pension to John R. Homer Scott.
- S. 1629. An act granting an increase of pension to James W. Humphreys;
- S. 1625. An act granting an increase of pension to Jethro M. Getman, alias James M. Getman;
- S. 1363. An act granting an increase of pension to James A. McKeehan;
- S. 694. An act granting a pension to James Caton;
- S. 899. An act granting an increase of pension to George F. Bowers;
- S. 636. An act to remove the charge of desertion against David A. Lane;
- S. 324. An act granting an increase of pension to Nellie Loucks;
- S. 319. An act granting a pension to Ida M. Warren; and
- S. 234. An act granting an increase of pension to James Frey.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

- S. 312. An act providing that the circuit court of appeals of the eighth judicial circuit of the United States shall hold at least one term of said court annually in the city of Denver, in the State of Colorado, or in the city of Cheyenne, in the State of Wyoming, on the first Monday in September in each year—to the Committee on the Judiciary.

- S. 4642. An act granting an increase of pension to Annie Dowery—to the Committee on Invalid Pensions.

Senate concurrent resolution 41.

Resolved by the Senate (the House of Representatives concurring). That there be printed and bound in cloth 3,500 additional copies of Senate Document No. 232, Fifty-sixth Congress, second session, being the report of the Commissioner-General for the United States to the International Universal Exposition, Paris, 1900, in six volumes, 1,000 of which shall be for the use of the Senate, 2,000 for the use of the House of Representatives, and 500 for distribution by the office of the Commissioner-General—to the Committee on Printing.

ENROLLED BILLS PRESENTED TO THE PRESIDENT OF THE UNITED STATES.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that they had presented this day to the President of the United States for his approval bills of the following titles:

- H. J. Res. 61. Joint resolution granting permission for the erection of a monument or statue in Washington City, D. C., in honor of the late Benjamin F. Stephenson, founder of the Grand Army of the Republic;

- H. J. Res. 180. Joint resolution authorizing the entry free of duty of a replica of the bronze statue of Rochambeau, by Ferdinand Hamar, and pedestal for the same;

- H. R. 12468. An act granting an increase of pension to Phineas Curran;
- H. R. 1012. An act granting an increase of pension to Patrick Moran;
- H. R. 1086. An act granting an increase of pension to Francis W. Pool;

H. R. 1742. An act granting an increase of pension to Alonzo Lewis;
 H. R. 4129. An act granting an increase of pension to Lonson R. Burr;
 H. R. 5170. An act granting an increase of pension to Frederick Wright;
 H. R. 5560. An act granting an increase of pension to Annie L. Evens;
 H. R. 7149. An act granting an increase of pension to Ephraim D. Dorman;
 H. R. 7994. An act granting an increase of pension to Margaret M. Grant;
 H. R. 9494. An act granting an increase of pension to Mary A. Andress;
 H. R. 10173. An act granting an increase of pension to Richard Trist;
 H. R. 10179. An act granting an increase of pension to Theron R. Mack;
 H. R. 10449. An act granting an increase of pension to Sarah H. Lake;
 H. R. 10795. An act granting an increase of pension to William A. Campbell;
 H. R. 11545. An act granting an increase of pension to Caroline R. Boyd;
 H. R. 12370. An act granting a pension to Ida M. Briggs;
 H. R. 4008. An act granting a pension to Christopher Columbus Sheets;
 H. R. 4945. An act granting a pension to Shadrack I. Corbett;
 H. R. 4994. An act granting a pension to Lydia Carr;
 H. R. 5150. An act granting a pension to Mary C. Trask;
 H. R. 7678. An act granting a pension to Mary Holmes;
 H. R. 8349. An act granting a pension to John Watts;
 H. R. 9625. An act granting a pension to Elizabeth L. Beckett;
 H. R. 11895. An act granting a pension to Thomas Holloway;
 H. R. 3379. An act to correct the military record of Calvin A. Rice;
 H. R. 13575. An act to grant a right of way to the Warrior Southern Railway Company through the tract of land in the State of Alabama reserved for the use of the United States in connection with the improvement of the Black Warrior River and known as Lock 4;
 H. R. 12867. An act to authorize the Shreveport Bridge and Terminal Company to construct and maintain a bridge across Red River, in the State of Louisiana, at or near Shreveport.
 H. R. 12093. An act to authorize the construction of a bridge across the Neuse River at or near Kinston, N. C.;
 H. R. 13819. An act for the relief of certain indigent Choctaw and Chickasaw Indians in the Indian Territory, and for other purposes;
 H. R. 13025. An act to make the provisions of an act of Congress approved February 28, 1891 (26 Stats., 796), applicable to the State of Utah;
 H. R. 12938. An act to authorize the New Orleans and Mississippi Midland Railroad Company, of Mississippi, to build and maintain a railway bridge across Pearl River;
 H. R. 11096. An act to refund the amount of duties paid in Porto Rico upon articles imported from the several States from April 11, 1899, to May 1, 1900, to confer jurisdiction on the Court of Claims to render judgment thereon, and making an appropriation therefor;
 H. R. 12498. An act extending the time for completing bridge across the Missouri River at St. Charles, Mo.; and
 H. R. 2062. An act to authorize the Western Bridge Company to construct and maintain a bridge across the Ohio River.
 Mr. DALZELL. Mr. Speaker, I move that the House do now adjourn.
 The motion was agreed to; and accordingly (at 5 o'clock and 18 minutes p. m.) the House adjourned until to-morrow at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the Acting Secretary of the Treasury, transmitting a copy of a communication from the Commissioners of the District of Columbia submitting an estimate of appropriation for improvements and repairs—to the Committee on Appropriations, and ordered to be printed.

A letter from the Acting Secretary of War, transmitting, with the draft of a bill, recommendations in relation to relinquishment of a strip of land to the town of Winthrop, Mass.—to the Committee on Military Affairs, and ordered to be printed.

A letter from the Acting Secretary of War, relating to an accumulation of useless papers in the War Department—to the Joint Committee on Disposition of Useless Papers in the Executive Departments, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. GARDNER of New Jersey, from the Committee on Labor, to which was referred the bill of the House (H. R. 3076) limiting the hours of daily service of laborers and mechanics employed upon work done for the United States or any Territory or the District of Columbia, thereby securing better products, and for other purposes, reported the same with amendments, accompanied by a report (No. 1793); which said bill and report were referred to the House Calendar.

Mr. MERCER, from the Committee on Public Buildings and Grounds, to which was referred the bill of the House (H. R. 14018) to increase the limit of cost of certain public buildings, to authorize the purchase of sites for public buildings, to authorize the erection and completion of public buildings, and for other purposes, reported the same without amendment, accompanied by a report (No. 1794); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. FLYNN, from the Committee on the Public Lands, to which was referred the bill of the House (H. R. 10412) for the payment to Henry B. Davis of balance due him for surveying public lands, reported the same without amendment, accompanied by a report (No. 1795); which said bill and report were referred to the Private Calendar.

Mr. GRAFF, from the Committee on Claims, to which was referred the bill of the Senate (S. 3401) for the relief of H. Glafcke, reported the same without amendment, accompanied by a report (No. 1796); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 12064) for the relief of Lebbeus H. Rogers and the administrators of William B. Moses, deceased, reported the same with amendments, accompanied by a report (No. 1797); which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Pensions was discharged from the consideration of the bill (H. R. 14042) granting an increase of pension to George W. Edgington, and the same was referred to the Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred, as follows:

By Mr. FOSS, from the Committee on Naval Affairs: A bill (H. R. 14046) making appropriations for the naval service for the fiscal year ending June 30, 1903, and for other purposes—to the Union Calendar.

By Mr. POWERS of Massachusetts: A bill (H. R. 14047) for the relief of the clerks of circuit and district courts of the United States—to the Committee on the Judiciary.

By Mr. WANGER: A bill (H. R. 14048) to further amend the act entitled "An act to regulate commerce," approved February 4, 1887, and the acts relating thereto, and for other purposes—to the Committee on Interstate and Foreign Commerce.

By Mr. JENKINS: A bill (H. R. 14049) to amend an act entitled "An act to establish a code of law for the District of Columbia"—to the Committee on the District of Columbia.

By Mr. COWHERD: A bill (H. R. 14050) to amend an act to regulate the height of buildings in the District of Columbia—to the Committee on the District of Columbia.

By Mr. RICHARDSON of Alabama: A bill (H. R. 14051) granting to N. F. Thompson and associates the right to erect a dam and construct power station at Muscle Shoals, Alabama—to the Committee on Interstate and Foreign Commerce.

By Mr. CONRY: A resolution (H. Res. 230) inquiry regarding alleged orders of Gen. Jacob H. Smith to kill and destroy in the island of Samar—to the Committee on Military Affairs.

By Mr. BURLESON: A resolution (H. Res. 231) regarding alleged orders of Gen. Jacob H. Smith to kill and destroy in the island of Samar—to the Committee on Military Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. ADAMS: A bill (H. R. 14052) granting an increase of pension to George Fusselman—to the Committee on Invalid Pensions.

By Mr. APLIN: A bill (H. R. 14053) granting increase of pension to Gilbert Stickles—to the Committee on Invalid Pensions.

By Mr. BENTON: A bill (H. R. 14054) granting an increase of pension to Nathaniel C. Davis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 14055) granting an increase of pension to Samuel Brown—to the Committee on Pensions.

By Mr. BROWNLOW: A bill (H. R. 14056) for the relief of George Killeen—to the Committee on Claims.

By Mr. COONEY: A bill (H. R. 14057) granting an increase of pension to Caroline Coleman—to the Committee on Invalid Pensions.

By Mr. CORLISS: A bill (H. R. 14058) granting a pension to Maj. Emil Pfeiffer—to the Committee on Invalid Pensions.

By Mr. CUMMINGS: A bill (H. R. 14059) granting an increase of pension to Anton Mazzanovich—to the Committee on Invalid Pensions.

By Mr. EVANS: A bill (H. R. 14060) granting a pension to Mrs. Catharine McMullen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 14061) granting an increase of pension to Joseph McFarland—to the Committee on Invalid Pensions.

By Mr. HEPBURN: A bill (H. R. 14062) granting an increase of pension to James Elliott—to the Committee on Invalid Pensions.

By Mr. KEHOE: A bill (H. R. 14063) granting an increase of pension to Thomas Hartley—to the Committee on Invalid Pensions.

By Mr. MANN: A bill (H. R. 14064) granting an increase of pension to Oliver M. Gilliam—to the Committee on Invalid Pensions.

By Mr. RICHARDSON of Tennessee: A bill (H. R. 14065) for the relief of the estate of C. L. Davis, deceased—to the Committee on War Claims.

By Mr. RIXEY: A bill (H. R. 14066) granting a pension to Merton C. Sanborn—to the Committee on Invalid Pensions.

By Mr. RYAN: A bill (H. R. 14067) granting an increase of pension to John Wright—to the Committee on Invalid Pensions.

By Mr. SELBY: A bill (H. R. 14068) to remove the charge of desertion from the record of Darwin Wales—to the Committee on Military Affairs.

By Mr. SHACKLEFORD: A bill (H. R. 14069) granting a pension to John Adair—to the Committee on Invalid Pensions.

By Mr. SIMS: A bill (H. R. 14070) for the relief of John A. Meroney—to the Committee on War Claims.

By Mr. HENRY C. SMITH: A bill (H. R. 14071) to remove the charge of desertion from the record of Silas Danley—to the Committee on Military Affairs.

By Mr. SNODGRASS: A bill (H. R. 14072) granting an increase of pension to Elijah Watters—to the Committee on Invalid Pensions.

Also, a bill (H. R. 14073) for the relief of the legal representatives of Gincey Edwards—to the Committee on War Claims.

By Mr. SNOOK: A bill (H. R. 14074) to correct the military record of Daniel Burns—to the Committee on Military Affairs.

By Mr. SPIGHT: A bill (H. R. 14075) for the relief of W. D. Aston—to the Committee on War Claims.

By Mr. STEPHENS of Texas: A bill (H. R. 14076) for the relief of Bianca L. Bell—to the Committee on Claims.

Also, a bill (H. R. 14077) for the relief of John C. Lynch—to the Committee on Claims.

By Mr. YOUNG: A bill (H. R. 14078) granting a pension to Ellwood I. Beatty—to the Committee on Pensions.

By Mr. HILL: A bill (H. R. 14079) granting an increase of pension to John Miller—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BELL: Resolutions of the Arkansas Valley Live Stock Association, protesting against leasing public lands to individuals and private corporations—to the Committee on the Public Lands.

By Mr. BENTON: Petition of H. H. Johnson for increase of pension—to the Committee on Invalid Pensions.

Also, papers to accompany House bill granting an increase of pension to Nathaniel C. Davis—to the Committee on Invalid Pensions.

Also, resolutions of Typographical Union of Carthage, Mo., and Central Labor Union of Joplin, Mo., for more rigid restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. BROWNLOW: Petition of George Killeen, to accompany House bill for his relief—to the Committee on Claims.

By Mr. CALDERHEAD: Petition of J. H. Gist, of Rhinehart, Kans., favoring the new oleomargarine bill—to the Committee on Agriculture.

Also, resolution of the California State League of Republican Clubs, favoring the construction of war vessels at the Government navy-yards—to the Committee on Naval Affairs.

Also, resolutions of National Business League of Chicago, Ill., for the enactment of irrigation legislation—to the Committee on Irrigation of Arid Lands.

By Mr. CASSEL: Resolution of Bricklayers' Union No. 6, of Lancaster, Pa., against immigration from south and east of Europe—to the Committee on Immigration and Naturalization.

Also, resolutions of George H. Thomas Post, No. 84, Grand Army of the Republic, Lancaster, Pa., favoring a bill providing pensions to certain officers and men in the Army and Navy of the United States when 50 years of age and over, and increasing widows' pensions to \$12 per month—to the Committee on Invalid Pensions.

By Mr. CUMMINGS: Petition of John M. Quinn and 40 other citizens of New York City and vicinity, for repeal of the duties on beef, veal, mutton, and pork—to the Committee on Ways and Means.

Also, resolution of the Bricklayers' general executive board of Greater New York, indorsing House bill 6279, to increase the pay of letter carriers—to the Committee on the Post-Office and Post-Roads.

By Mr. EMERSON: Petitions of citizens of Clinton and Chateaugay, N. Y., asking that the duty on beef, veal, mutton, and pork be repealed—to the Committee on Ways and Means.

Also, resolutions of Horse Nail Makers' Union No. 9656, protesting against the immigration of illiterate persons—to the Committee on Immigration and Naturalization.

By Mr. ESCH: Resolution of the Wisconsin Conference of the Evangelical Association, in session at Monroe, Wis., favoring the improvement of the post-exchange system as relating to literature and gymnasiums—to the Committee on Military Affairs.

By Mr. EVANS: Paper in support of bill to increase the pension of Joseph McFarland—to the Committee on Invalid Pensions.

Also, a resolution of Mine Workers' Unions of Defiance, Hopewell, Garrett, and Sixmile Run, Pa., favoring an educational test for restriction of immigration—to the Committee on Immigration and Naturalization.

Also, resolution of Emery Fisher Post, No. 30, of Johnstown, Grand Army of the Republic, Department of Pennsylvania, favoring House bill 3067, relating to pensions—to the Committee on Invalid Pensions.

By Mr. GAINES of Tennessee: Petition of merchants of Nashville, Tenn., urging the passage of the bill to amend the bankruptcy law—to the Committee on the Judiciary.

By Mr. GILLETT of Massachusetts: Petition of citizens of Springfield, Mass., in favor of House bills 178 and 179, for the repeal of the tax on distilled spirits—to the Committee on Ways and Means.

By Mr. GROSVENOR: Resolutions of Mine Workers' Unions of Gloucester and Mineral, and Lithographer's Association No. 19, of Coshocton, Ohio, for more rigid restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. HEMENWAY: Resolution of Central Labor Union of Boonville, Ind., favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

By Mr. HEPBURN: Petition of citizens of Taylor County, Iowa, in support of House bill granting an increase of pension to James Elliott—to the Committee on Invalid Pensions.

By Mr. HILL: Papers to accompany House bill granting a pension to John Miller—to the Committee on Invalid Pensions.

By Mr. KAHN: Petition of the San Francisco Chamber of Commerce, Manufacturers and Producers' Association of California, and the Board of Trade of San Francisco, Cal., favoring the payment of the claim of citizens of Hawaii whose property was destroyed in the effort to suppress the bubonic plague in December, 1899, and during the year 1900—to the Committee on the Territories.

Also, resolutions of San Francisco Lodge, No. 68, Association of Machinists, and the San Francisco Labor Council, favoring House bill 3076, known as the eight-hour law—to the Committee on Labor.

Also, resolutions of board of directors of the Southern California Fruit Exchange, in favor of the irrigation bill—to the Committee on Irrigation of Arid Lands.

Also, petition of officers of the National Guard of California, for the passage of House bill 9972—to the Committee on the Militia.

Also, resolutions of Union League Club, City Front Federation, Horse Shoers' Association, Master Painters' Association, and

Brotherhood of Railway Employees, all of San Francisco, Cal., indorsing House bill 6279, to increase the pay of letter carriers—to the Committee on the Post-Office and Post-Roads.

By Mr. KERN: Petitions of Hy. F. Stumpf, of Waterloo, and William Ebers, of Bremen, Ill., favoring House bill 9206—to the Committee on Agriculture.

By Mr. LANHAM: Resolutions of Lodge No. 20, Locomotive Firemen, of Paris, Tex., in favor of the exclusion of Chinese laborers—to the Committee on Foreign Affairs.

By Mr. McCALL: Petition of citizens of Somerville, Mass., for the repeal of the tariff on beef, veal, mutton, and pork—to the Committee on Ways and Means.

By Mr. McCLEARY: Resolutions of the Northwestern Manufacturers' Association, the Commercial Club, and the Jobbers' Union, of St. Paul, Minn., indorsing legislation for the irrigation of arid lands—to the Committee on Irrigation of Arid Lands.

Also, resolutions of the Northwestern Manufacturers' Association, approving the reorganization of the consular service—to the Committee on Foreign Affairs.

Also, resolutions of Release Lodge, No. 579, Brotherhood of Locomotive Firemen, Montevideo, Minn., favoring an educational test for restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. MOODY of Massachusetts: Petition of residents of Danvers, Mass., favoring House bills 11535 and 11536, for the protection of birds—to the Committee on Agriculture.

Also, petition of the Sons of Poland, of Salem, Mass., favoring the erection of a monument to Count Pulaski—to the Committee on the Library.

By Mr. NEVILLE: Petitions of W. W. Fought, W. F. Miles, A. F. Maloy, and other citizens of Deuel County, Nebr., opposing the leasing of public lands—to the Committee on the Public Lands.

Also, paper to accompany House bill 5171, for the relief of Catherine Grace—to the Committee on Claims.

By Mr. RICHARDSON of Alabama: Petition of John H. Hollingsworth, jr., of Limestone County, Ala., asking that his claim be referred to the Court of Claims under the Bowman Act—to the Committee on War Claims.

By Mr. ROBINSON of Louisiana: Petition of Louis V. Porche, of Point Coupee, La., for reference of war claim to Court of Claims—to the Committee on War Claims.

By Mr. RUPPERT: Resolutions of the New York Produce Exchange, favoring the passage of House bill 6279, to increase the pay of letter carriers—to the Committee on the Post-Office and Post-Roads.

Also, resolutions of Division No. 54, Order of Railway Conductors, Bohemian Typographical Union, No. 131, New York Hackmen's League, and Sixth Branch, Amalgamated Society of Carpenters, all of New York City, favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

By Mr. RYAN: Resolution of Missouri, Kansas, and Oklahoma Association of Lumber Dealers, for legislation amending the existing interstate-commerce act—to the Committee on Interstate and Foreign Commerce.

By Mr. SHACKLEFORD: Resolutions of Carpenters' Union No. 945, of Jefferson City, Mo., in favor of the exclusion of Chinese laborers, etc.—to the Committee on Foreign Affairs.

By Mr. SHAFROTH: Petitions of the Patriotic Order of Sons of America, Camp No. 15, of Denver, Colo., and citizens of Lake County, Colo., for more rigid restriction of immigration—to the Committee on Immigration and Naturalization.

Also, resolutions of German-American Central Verein, Denver, Colo., against any proposition to restrict the immigration of healthy and honest persons—to the Committee on Immigration and Naturalization.

Also, resolutions of the Chamber of Commerce and citizens of Cripple Creek, Colo., in favor of the Chinese-exclusion act—to the Committee on Foreign Affairs.

Also, resolutions of Bricklayers and Masons' Union of Leadville, Colo., in regard to employees in navy-yards and for the enforcement of the eight-hour law—to the Committee on Naval Affairs.

By Mr. SMITH of Illinois: Resolutions of Mine Workers' Unions No. 757, of Elkville, and No. 1880, of Marion, Ill., favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

By Mr. SNOOK: Petition of Jennie Burns, to accompany House bill to amend the military record of Daniel Burns—to the Committee on Military Affairs.

By Mr. SNODGRASS: Petition of Gincey Edwards, of Sumner County, Tenn., for reference of war claim to the Court of Claims—to the Committee on War Claims.

By Mr. SPIGHT: Papers to accompany bill for the relief of W. D. Aston—to the Committee on War Claims.

By Mr. SULZER: Resolutions of Local Assembly No. 6909,

Knights of Labor, Brooklyn, N. Y.; New York Produce Exchange, and executive committee of bricklayers' unions of New York City, indorsing House bill 6279, to increase the pay of letter carriers—to the Committee on the Post-Office and Post-Roads.

Also, resolutions of Baltimore Typographical Union No. 12, and of Central Trades and Labor Council of New Orleans, La., against the passage of House bill 5777, amending the copyright laws—to the Committee on Patents.

Also, resolutions of the Merchants' Association of New York, urging reciprocity with Cuba upon the basis of not less than 40 per cent reduction—to the Committee on Ways and Means.

Also, resolutions of the Thirteenth Club of the City of New York, in opposition to sending a special embassy to attend the coronation of King Edward VII.—to the Committee on Foreign Affairs.

Also, petition of W. J. Quinn, Dr. F. W. Grube, and others, of New York City, for the repeal of the tariff on beef, veal, mutton, and pork—to the Committee on Ways and Means.

Also, resolutions of the Maritime Association of the Port of New York, urging the passage of House bill 163, to pension employees and dependents of Life-Saving Service—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of the same association, in relation to the ship-subsidy bills—to the Committee on Interstate and Foreign Commerce.

By Mr. TIRRELL: Resolutions of Bay State Lodge No. 73, Brotherhood of Locomotive Firemen, of Worcester, Mass., favoring the Chinese-exclusion act—to the Committee on Foreign Affairs.

By Mr. YOUNG: Petition of the American Wireless Telephone and Telegraph Company, for the extension of patent No. 350299—to the Committee on Patents.

Also, petition of Encampment No. 33, Union Veteran Legion, urging the passage of a service pension bill—to the Committee on Invalid Pensions.

SENATE.

TUESDAY, April 29, 1902.

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. SCOTT, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. The Journal, without objection, will stand approved.

COLUMBIA INSTITUTION FOR DEAF AND DUMB.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the president of the Columbia Institution for the Deaf and Dumb submitting an estimate of appropriation to provide for suitable protection against disaster by fire to the buildings of that institution, \$3,291; which, with the accompanying paper, was referred to the Committee on Appropriations, and ordered to be printed.

THE REVENUE-CUTTER SERVICE.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the chief of the division of Revenue-Cutter Service submitting an additional estimate of appropriation, \$115,000, to meet the requirements in the matter of longevity pay for officers of the Revenue-Cutter Service for the fiscal year ending June 30, 1903, etc.; which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

C. M. BROADWAY.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings filed by the court in the cause of C. M. Broadway, administrator of Jordan Broadway, deceased, v. The United States; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 13031) to prohibit the coming into and to regulate the residence within the United States, its Territories, and all territory under its jurisdiction, and the District of Columbia, of Chinese and persons of Chinese descent.

The message also returned to the Senate, in compliance with its request, the bill (S. 312) providing that the circuit court of appeals of the eighth judicial circuit of the United States shall hold at least one term of said court annually in the city of Denver, in the State of Colorado, or in the city of Cheyenne, in the State of Wyoming, on the first Monday in September in each year.